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ABSTRACT

The focus of this study on school desegregation is on 43 cities in the following areas: Bibb and Chatham Counties (Ga.); Orange, Duval, Hillsborough, and Pinellas Counties (Fla.); Cado, Quachita, East Baton Rouge, and Orleans Parishes (La.); and, Richland County District Number 1, Florence County District Number 1, and Orangeburg County District Number Five (S.C.). Based on the reports of the study monitors, the following are among the recommendations and findings made: (1) equal protection of laws is yet not a reality for most black students in the South; (2) at least a dozen major urban, Southern school systems are operating on inadequate and outdated court orders and desegregation plans; (3) some urban Southern school districts are not only segregated but do not provide any form of student transportation; (4) a school district cannot desegregate half-way; faculty and student integration must go hand-in-hand; (5) resegregation is an alarming fact in the urban Southern school systems, aided by local state and federal action; (6) a large number of black students are congregated in the lower academic groups in southern urban schools because of "ability" grouping; (7) widespread student unrest is symptomatic of racism, insensitivity, and injustice; (8) suspensions and expulsions of students are so widespread as to raise serious questions as to the effectiveness of these methods to enforce discipline; and, (9) increased use of police and security guards does not seem to have eliminated or significantly decreased disciplinary problems. (Authors/RJ)

ED 065646

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It's Not Over In the South

School Desegregation In Forty-three Southern Cities Eighteen Years After Brown

A Report by
The Alabama Council on Human Relations
American Friends Service Committee
Delta Ministry of the National Council of Churches
NAACP Legal Defense and Educational Fund, Inc.
Southern Regional Council
Washington Research Project

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May, 1972

TABLE OF CONTENTS

Foreword i

Terms iv

Statistical and Legal Profile Charts ix

Major Findings and Recommendations 1

Leadership Can Make a Difference 10

Districts that *Green, Alexander* and *Swann* Forgot 30

Obsolete and Inadequate Desegregation Plans 44

The Students Involved 66

Black Teachers and Administrators 84

Transportation 103

Second Generation Problems 108

FOREWORD

Much of the focus of desegregation efforts of the past decade has been on small rural districts of the South where resistance to desegregation has often been the most determined and violent. But these districts, relatively easy to desegregate in the structural sense and subject to consistent legal and administrative pressures, as well as to national publicity, were often the first to abandon the formal trappings of racially separate schools.

In the last two years attention has shifted to the urban school systems—not of the South but of the nation. In these, the complexities of size, geography, transportation and hypocrisy have made school desegregation an issue which has demonstrated that resistance, legal rationalizations, and violence are not peculiar to any one region of our country. With only a few exceptions, however, the urban school systems of the South have been forgotten, as the national hysteria has escalated and the federal government has switched sides in the struggle for equal educational opportunity.

With this in mind six private organizations with a long history of activity in the Southern school desegregation movement initiated a project to monitor the desegregation progress of 43 school districts in the urban South. This report is the result of that project. The organizations involved in its preparation were the Alabama Council on Human Relations, the American Friends Service Committee, the Delta Ministry of the National Council of Churches, the NAACP Legal Defense and Educational Fund, Inc., the Southern Regional Council and the Washington Research Project.

The purpose of the project was to determine:

1. The extent of the presence of *de jure* segregation in school districts of the urban South.

2. The role of the federal government in eliminating *de jure* segregation in these districts.

3. The nature and scope of any new problems resulting from lingering vestiges of *de jure* segregation.

4. The progress being made in moving toward equal education and true integration in the post-desegregation unitary school systems.

Forty-three districts representing school systems across the region were selected. The districts were selected in order to get a sampling of school systems with various student enrollments, with varying percentages of minority students, using different desegregation plans, operating under both voluntary and court order plans, involving plaintiffs represented by government and private attorneys, and which were most likely to have taken some new desegregation initiatives in light of the *Swann v. Charlotte-Mecklenburg Board of Education* decision of April 20, 1971.

During January and early February of this year our monitors went into these school districts to conduct an intensive survey. In most of the systems, the monitors interviewed superintendents, central office staff, principals, and teachers. The superintendent in Macon, Georgia, refused to cooperate, and attorneys for the Chattanooga, Tennessee, system advised school officials not to cooperate since the district was involved in desegregation litigation. We made an effort to monitor Macon anyway, but we did not monitor Chattanooga. In all other districts, school officials were given an opportunity to provide accurate information to the monitors as well as share with them their opinions and observations.

Our monitors also talked with students, parents, and other citizens. Every effort was made to validate reports and observations from the community. But the organizations involved in this report did not have the personnel, time or other resources to make a detailed investigation of all the facts behind each example or incident cited. Facts or situations reported herein may have changed since recorded by our monitors or there may be some additional information which would put them in a different light. We believe, however, that on balance this report represents an accurate assessment of desegregation in these districts of the urban South. Our monitors also used confidential sources in government and school systems.

We have not attempted to categorize districts as "good" or "bad" because we found problems in even the best systems and signs of hope in the worst. For example, while many of the districts did not meet our judgment of what constitutes an adequately desegregated school system, some such systems are offering good educational programs which serve black students. We found some districts that are meeting change and grappling with it as effectively as their capacities and the burden of the past will allow. Others are quietly yielding to change, knowing they can never return to the simplicity of the past but hoping that somehow they will be delivered from the confusion of the present. Still others are standing still, not really convinced that their condition has changed at all.

In any case, the crude recalcitrance of the past seems to be waning. Complex issues, showing evidence of apparent sincere and even effective attempts to meet the educational needs of all students, and, at the same time, showing evidence of continuing injustices, do not make for easy judgments. We have, therefore, been reluctant to quickly praise or condemn in this report. But from our experience and what we learned, we have made some recommendations.

To identify school districts for our readers we have referred to their principal cities throughout the report rather than giving the formal names of the districts. Readers should keep in mind that some districts include only those students within the city limits of an urban area, while others include the city plus all or part of the surrounding county. In some districts only part of the city is included in the district. All school districts in Florida are county-wide. The following districts are those which have the more formal names (all others in the report are usually known by the name of city):

Proper Name of School District:	Name Used in Report:
Georgia	
Bibb County	Macon
Chatham County	Savannah
Florida	
Orange County	Orlando
Duval County	Jacksonville
Hillsborough County	Tampa
Pinellas County	St. Petersburg
Louisiana	
Cado Parish	Shreveport
Quachita Parish	Monroe
East Baton Rouge Parish	Baton Rouge
Orleans Parish	New Orleans
South Carolina	
Richland County District #1	Columbia
Florence County District #1	Florence
Orangeburg County District #5	Orangeburg

TERMS USED IN THIS REPORT

1. **Ability grouping**—"Ability grouping," or "tracking," refers to the practice of classifying pupils in homogeneous sections for purposes of instruction according to their "intelligence." Such grouping is determined by teachers' assessments and/or standardized test results.

2. **Alexander**—*"Alexander"* refers to the Supreme Court decision in *Alexander v. Holmes County* (1969). More than a decade and a half after *Brown,* the Supreme Court refused to tolerate further delay in implementing desegregation, and held unanimously in *Alexander* that the all-deliberate-speed standard "is no longer constitutionally permissible." Plans to bring about complete desegregation must be implemented "at once."

3. **Brown**—*"Brown"* refers to the Supreme Court decision in *Brown v. Board of Education* of 1954 (*Brown I*), in which a unanimous Supreme Court held that segregation of students by race in the public schools violates the command of the Fourteenth Amendment. The Constitution forbids any system of "separate but equal" schools. In the second *Brown* decision the following year (*Brown II*), the Court ordered that dual school systems be disestablished "with all deliberate speed."

4. **Clustering**—"Clustering" refers to the method that combines three or more schools along the same principles as "pairing" (see definition) to achieve school desegregation.

5. **Departmentalization**—"Departmentalization" refers to a type of classroom organization in which pupils are scheduled to spend a specified period of time each day for individual subjects with different teachers.

6. **ESAP**—The Emergency School Assistance Program is an act passed by the Congress in 1970 to provide federal funds to school districts substantially desegregating their school systems. The money is to fund programs which will help school districts solve problems occurring because of desegregation. ESAP funds have also been granted to non-profit community groups working on desegregation problems. In 1971 President Nixon decreed that no ESAP funds could be provided for districts to buy more school buses required by a post-*Swann* desegregation plan.

7. **Equi-distant zoning**—"Equi-distant zoning" refers to school boundary lines which are drawn at exactly the same distance between adjacent schools. In cases where a school would become over-capacity as a result of this method of determining the composition of its student body, its attendance zone would be decreased (and adjacent schools increased) by narrowing its boundaries by means of a line or lines parallel to those originally proposed. In every case in which such a change is necessary, it must be affected in a manner that will increase the integration factor.

8. **ETS**—"ETS" refers to the Educational Testing Service, a non-profit corporation organized in 1948 by three groups then active in testing—the American Council on Education, the Carnegie Foundation for Advancement of Teaching, and the College Entrance Examination Board. These groups agreed to combine their testing functions to provide a unified organization geared to meet the increasing measurements of American education.

9. **Green**—*"Green"* refers to the Supreme Court decision in *Green v. New Kent County* (1968). This unanimous decision struck down a "freedom of choice" desegregation plan which failed to eradicate the racial isolation of black students. *Green* holds that school authorities are under an affirmative duty to take all necessary steps to eliminate segregation "root and branch." A desegregation plan is insufficient unless it actually brings about a unitary system—schools that are neither black nor white, but "just schools."

10. **HEW**—"HEW" refers to the Department of Health, Education, and Welfare.

11. **HUD**—"HUD" refers to the Department of Housing and Urban Development, the federal agency which administers all federal housing projects.

12. **LDF**—"LDF" refers to the NAACP Legal Defense and Educational Fund, Inc., a private, non-profit civil rights organization which engages in litigation in many areas, including school desegregation. It has represented most of the private plaintiffs in school desegregation cases. Though once a part of the NAACP, the LDF is now a separately incorporated organization.

13. **Majority-minority schools**—"Majority-minority schools" refers to all schools in which minority (black and/or Chicano) students are in the majority. Thus the category of majority-minority schools includes all schools that are all-black and all-Chicano, in addition to schools in which the combined black and Chicano enrollments form a majority of the school population.

14. **Majority-to-minority transfer**—"Majority-to-minority transfer" refers to the process by which, in districts where it has been included in the court order, students who are enrolled in schools in which their race is in the majority may transfer to any school in the same district in which their race is in the minority. Under this provision, the district is obligated to provide transportation.

15. **Non-contiguous zones**—"Non-contiguous zones" refers to geographic attendance zones that are not adjacent to one another within a given district.

16. **NTE**—"NTE" refers to the National Teacher Examinations, which are administered by ETS (see definition) to measure academic and professional preparation of prospective teachers.

17. **Office for Civil Rights (OCR)**—"OCR" refers to the Office for Civil Rights which is located in the Office of the Secretary of the Department of

Health, Education and Welfare (HEW). It is charged with enforcing Title VI of the Civil Rights Act of 1964 as it relates to HEW programs. Title VI protects individuals from being excluded from participation in, denied the benefits of, or being subjected to discrimination in programs or activities receiving federal financial assistance on the grounds of race, color, or national origin. OCR has the responsibility for enforcement of Title VI, by requiring the elimination of dual school systems in illegally segregated school systems as a prerequisite for the continuation of federal aid.

18. **Pairing**—"Pairing" refers to the method that combines two schools within a given district to achieve school desegregation. For example, before pairing, one school might be a predominantly black school serving grades 1-6, and the other might be a predominantly white school serving the same grades. As the result of pairing, one school would serve grades 1-3, and the other grades 4-6. Pairing techniques could thus be used to merge the former attendance patterns for the two schools into one larger attendance zone for both schools. Schools in two non-contiguous zones could also be paired.

19. **SAT**—"SAT" refers to the Scholastic Aptitude Test, a standardized test that is administered by the College Entrance Examination Board. Most high school students who plan to attend college must take the SAT, since it is commonly required for admission. Most colleges use it as only one of several criteria for admission, but some do have official or un-official SAT cut-off points.

20. **Section "235" housing**—"Section 235 housing" refers to a section of the National Housing Act under which families of moderate income can receive financial assistance from the federal government to purchase new or used housing. New housing must be located in a development which has been approved for the 235 program; the used housing may be located anywhere. The program is administered by the Federal Housing Administration (FHA) of the Department of Housing and Urban Development (HUD).

21. **Singleton**—*"Singleton"* refers to a decision by the Fifth Circuit Court of Appeals in *Singleton v. Jackson Municipal Separate School District* (1970). As *"Singleton"* is used in this report it refers to two parts of the Fifth Circuit decision.

(1) Black and white teacher ratio—The order of the court required the assignment of staff "so that the ratio of Negro to white teachers in each school, and the ratio of other staff in each, are substantially the same as each such ratio is to the teachers and other staff, respectively, in the entire school system." It also said: "The school district shall, to the extent necessary to carry out this desegregation plan, direct members of its staff as a condition of continued employment to accept new assignments."

(2) Staff employment, demotion and dismissals—The order of the court requires:

(a) "Staff members who work directly with children, and professional staff who work on the administrative level will be hired, assigned, promoted, paid, demoted, dismissed, and otherwise treated without regard to race, color, or national origin."

(b) "If there is to be a reduction in the number of principals, teachers, teacher-aides, or other professional staff employed by the school district which will result in a dismissal or demotion of any such staff members, the staff member to be dismissed or demoted must be selected on the basis of objective and reasonable non-discriminatory standards from among all the staff of the school district."

(c) ". . . If there is any such dismissal or demotion, no staff vacancy may be filled through recruitment of a person of a race, color, or national origin different from that of the individual dismissed or demoted, until each displaced staff member who is qualified has had an opportunity to fill the vacancy and has failed to accept an offer to do so."

(d) "Prior to such a reduction, the school board will develop or require the development of nonracial objective criteria to be used in selecting the staff member who is to be dismissed or demoted. These criteria shall be available for public inspection and shall be retained by the school district. The school district also shall record and preserve the evaluation of staff members under the criteria. Such evaluation shall be made available upon request to the dismissed or demoted employee."

(e) " 'Demotion' as used above included any reassignment (1) under which the staff member receives less pay or has less responsibility than under the assignment he held previously, (2) which requires a lesser degree of skill than did the assignment he held previously, or (3) under which the staff member is asked to teach a subject or grade other than one for which he is certified or for which he has had substantial experience within a reasonably current period. In general and depending upon the subject matter involved, 5 years is such a reasonable period."

The faculty requirements in the *Singleton* decision were affirmed by the Supreme Court in *Montgomery v. Carr.*

22. **Swann**—*"Swann"* refers to *Swann v. Charlotte-Mecklenburg* (April 20, 1971). *Swann* reaffirms and underscores the state's affirmative duty to desegregate and to extirpate continuing effects of past discrimination. The unanimous *Swann* court held that all the techniques of pupil assignment—e.g., redrawing attendance zones, consolidating schools, and transporting students—must be used to the end of achieving "the greatest possible degree of actual desegregation." In particular, student transportation must be used whenever necessary to eliminate

racial isolation of students and the racial identification of schools, so long as the health and education of young people are not jeopardized.

23. **Title IV—**"Title IV," as used in this report, refers to section 403 of Title IV of the 1964 Civil Rights Act.

Section 403 states: "The Commissioner is authorized, upon the application of any school board, state, municipality, school district, or other government unit legally responsible for operating a public school, or schools, to render technical assistance to such applicant in the preparation, adoption, and implementation of plans for the desegregation of public schools. Such technical assistance may, among other activities, include making available to such agencies information regarding effective methods of coping with special educational problems occasioned by desegregation, and making available to such agencies personnel of the Office of Education, or other persons specially equipped to advise and assist them in coping with such problems."

24. **Title VI—of the Civil Rights Act of 1964**—See Office For Civil Rights.

25. **Title IX—**"Title IX," as used in this report, refers to section 902 of Title IX of the 1964 Civil Rights Act.

Section 902 states: "Whenever an action has been commenced in any court of the United States seeking relief from the denial of equal protection of the laws under the Fourteenth Amendment to the Constitution on account of race, color, religion, or national origin, the Attorney General for, or in the name of the United States, may intervene in such action upon timely application if the Attorney General certifies that the case is of general public importance. In such action, the United States shall be entitled to the same relief as if it had instituted the action."

26. **Zoning—**"Zoning" refers to the placing of school boundary lines. In cases where zone boundaries have been drawn to promote maximum desegregation, assignment of students to schools on the basis of geographic attendance zones may meet the requirements of school desegregation. In many cases, enlargement of attendance zones is necessary, and in others, new attendance zones must be drawn to effect school desegregation.

TABLES OF STATISTICAL AND LEGAL DATA

DISTRICTS INCLUDED IN REPORT

STATISTICAL INFORMATION

Name	Enrollment	% of Black or Chicano Students	Total Number of Schools	Number of 100% One-race Schools	Number of 90%-99% One-race Schools	Number of 80%-90% One-race Schools
ALABAMA						
Birmingham	62,278	54% B	89	13-W, 18-B	6-W, 14-B	6-W, 5-B
Huntsville	35,561	8.15% B	40	1-W, 0-B	19-W, 2-B	10-W, 0-B
Jefferson County	56,332	28% B	81	7-W, 9-B	24-W, 4-B	13-W, 4-B
Mobile	66,417	42% B	81	1-W, 5-B	7-W, 9-B	9-W, 4-B
Montgomery	37,604	46% B	53	0-W, 6-B	3-W, 12-B	8-W, 3-B
Selma	6,316	.09% C 59% B	12	0-W, 3-B	2-W, 1-B	0-W, 1-B
ARKANSAS						
Forrest City	5,810	.8% C 58.9% B	16	0-W, 0-B	0-W, 0-B	1-W, 2-B
Little Rock	23,692	.1% C 43% B	39	1-W, 4-B	7-W, 6-B	4-W, 0-B
Texarkana	6,634	.08% C 31% B	11	0-W, 0-B	0-W, 0-B	0-W, 0-B
West Memphis	7,049	49% B	13	0-W, 0-B	0-W, 0-B	0-W, 0-B
FLORIDA						
Jacksonville	114,045	30% B	127	3-W, 7-B	46-W, 5-B	4-W, 0-B
Orlando	86,705	18.2% B	99	15-W, 1-B	38-W, 3-B	12-W, 1-B
Tampa	102,728	19% B	126	0-W, 0-B	1-W, 0-B	80-W, 0-B
St. Petersburg	86,880	16% B	107	0-W, 0-B	18-W, 0-B	46-W, 0-B
GEORGIA						
Atlanta	97,229	72% B	162	3-W, 47-B	27-W, 40-B	5-W, 5-B
Macon	31,482	45% B	60	3-W, 3-B	9-W, 9-B	4-W, 1-B
Rome	6,046	33% B	15	1-W, 2-B	0-W, 0-B	3-W, 0-B
Savannah	37,712	48.2% B	57	0-W, 1-B	0-W, 2-B	0-W, 0-B
LOUISIANA						
Baton Rouge	66,502	39.1% B	106	7-W, 12-B	28-W, 20-B	10-W, 3-B
Monroe	9,911	57% B	18	0-W, 2-B	1-W, 3-B	3-W, 0-B
New Orleans	107,742	71.8% B	135	3-W, 39-B	13-W, 26-B	5-W, 7-B
Shreveport	52,896	49.6% B	75	5-W, 26-B	20-W, 2-B	13-W, 0-B

Name	Enrollment	% of Black or Chicano Students	Total Number of Schools	Number of 100% One-race Schools	Number of 90%-99% One-race Schools	Number of 80%-90% One-race Schools
MISSISSIPPI						
Hattiesburg	7,431	46.4% B	15	0-W, 0-B	2-W, 4-B	0-W, 0-B
Jackson	29,598	64.3% B	53	0-W, 0-B	0-W, 4-B	0-W, 10-B
Greenville	10,468	65.7% B	16	0-W, 0-B	0-W, 1-B	0-W, 2-B
Gulfport	8,558	25.4% B	17	0-W, 0-B	3-W, 0-B	2-W, 0-B
N. C.						
Charlotte	80,066	31% B	104	0-W, 0-B	1-W, 0-B	4-W, 0-B
Durham	12,161	65% B	24	0-W, 0-B	0-W, 4-B	0-W, 1-B
Greensboro	30,105	35% B	47	0-W, 0-B	3-W, 0-B	5-W, 0-B
Raleigh	22,236	30% B	36	0-W, 0-B	0-W, 0-B	2-W, 0-B
S. C.						
Charleston *	9,867	96% B	17	0-W, 7-B	0-W, 5-B	0-W, 1-B
Columbia	37,333	53% B	56	0-W, 4-B	0-W, 3-B	0-W, 1-B
Florence	14,445	41% B	22	0-W, 0-B	1-W, 1-B	2-W, 1-B
Orangeburg	6,723	67% B	11	0-W, 0-B	0-W, 0-B	0-W, 0-B
TEXAS**						
		20.7% C		6-M, C-0	10-M, C-4	0-M, 0-C
Austin	55,565	14.6% B	72	1-B, 1-W	5-B, 18-W	0-B, 17-W
		2.4% C				
Beaumont	14,735	45.3% B	23	0-W, 8-B	6-W, 0-B	
		16% C		20-M, 0-C	62-M, 4-C	19-M, 4-C
Houston	231,493	38% B	231	6-B, 0-W	44-B, 44-W	9-B, 29-W
Texarkana	6,738	28% B	16	0-W, 0-B	1-W, 0-B	3-W, 0-B
TENNESSEE						
Knoxville	35,328	17.3% B	66	17-W, 1-B	27-W, 7-B	6-W, 1-B
Memphis	145,651	53.6% B	162	18-W, 29-B	43-W, 39-B	10-W, 2-B
Nashville	88,190	27% B	137	3-W, 0-B	27-W, 0-B	9-W, 0-B
VIRGINIA						
Norfolk	50,070	48.1% B	71			1-W, 0-B
Richmond	43,027	69% B	56			0-W, 10-B
				26-M	26-M, 8-C	19-M, 4-C
TOTAL	2,047,359		2,727	104-W,246-B	417-W,276-B	322-W, 77-B

*Figures for City of Charleston Constituent District #20 only

**Minority Schools include not only all schools in which the *combined* black & Chicano enrollment equals the designated ratio, but also all schools in which either the black or Chicano enrollment equals the designated ratio.

DISTRICTS INCLUDED IN REPORT
LEGAL INFORMATION

Name	Voluntary Plan (VP) or Court Order (CO)	Gov't or Private Agency with Jurisdiction	Post-*Swann* Motion?	Post-*Swann* Plan?	Date of Last Court Order Under Which District Began 1971-72 Term	Status of Litigation	Major Problem Areas Identified by Monitors
ALABAMA							
Birmingham	CO	LDF, JD	No	No	6-19-70	No New Motion Filed	Student assignments Bad desegregation plan
Huntsville	CO	LDF	No	No	7-26-71	No New Motion Filed	
Jefferson County	CO	LDF, JD	Yes	Yes	8-24-71 AM. 9-8-71	Pending	Student assignment, disruptions; bad plan, demotions-dismissals, community reaction, plan violations
Mobile	CO	LDF, JD	Yes	Yes	7-8-71	No New Motion Filed	Demotions and dismissals of teachers Violations of plan, student disrpts.
Montgomery	CO	LDF	No	No	2-25-70	No New Motion Filed	Bad plan; student assignment
Selma	CO	LDF	No	No	6-16-70	Hearing on faculty	Student discontent, demotions-dis. Bad plan; student assignment
ARKANSAS							
Forrest City	CO	LDF	Yes	Yes	6-27-70	On Appeal	Community reactions Student disruptions; demotions-dis.
Little Rock	CO	LDF	Yes	Dev. of Plan ordered	5-7-71	Before Court	Bad plan; student assignment
Texarkana	VP	HEW	Not Post-*Swann*		1970 District	ICT	Community reaction, demotions-dis. Bad plan
West Memphis	CO	LDF	Yes	Yes	8-2-71	On Appeal	Bad desegregation plan
FLORIDA							
Jacksonville	CO	LDF	Yes	Yes	6-23-71	No New Motion Filed	Bad plan Student Suspensions
Orlando	CO	LDF	Yes	Yes	9-17-71 AM. 10-8-71	No New Motion Filed	White attitudes, demotions and dis. Student assignment, bad plan
Tampa	CO	LDF	Yes	Yes	7-2-71	No New Motion Filed	Student disruptions, suspensions
St. Petersburg	CO	LDF	Yes	Yes	7-23-71 am. 11-24-71	No New Motion Filed	Suspensions Student disruptions, demotions-dis.

Name	Voluntary Plan (VP) or Court Order (CO)	Gov't or Private Agency with Jurisdiction	Post-*Swann* Motion?	Post-*Swann* Plan?	Date of Last Court Order Under Which District Began 1971-72 Term	Status of Litigation	Major Problem Areas Identified by Monitors
GEORGIA							
Atlanta	CO	LDF	Yes	Plan being considered	2-70	District Court	Student assignment, bad plan No decision on plan as yet.
Macon	CO	LDF	No	No	2-71	On Appeal	Referral of black students to voc. ed. Dismissals, no extra-curr. activities
Rome	CO	JD	Yes	Dev. Ordered	12-27-71	Sub. 4-72	Student assignments, campus layout, demotions-dis., bad plan
Savannah	CO	Private plaintiff, JD	Yes	Yes	8-31-71	No New Motion Filed	Community reaction, student disrp.
LOUISIANA							
Baton Rouge	CO	LDF	No	No	7-22-70	No New Motion Filed	Student assignments, bad desg. Bad plan, violations of plan
Monroe	CO	LCOC	No	No	7-30-71	On Appeal	Disruptions, violations of plan Student assignments, teachers etc.
New Orleans	CO	LDF	No	No	10-12-67	No New Motion Filed	Student disruptions, Student assignment, bad plan
Shreveport	CO	LDF	Yes	No	1-30-70 March 1972	Pending	Student disruptions Bad plan, student assignments.
MISSISSIPPI					Motion	No New	Transportation, student assignmt.
Hattiesburg	CO	JD, LDF	Yes	Yes	7-22-71	Motion Filed	*Singleton* variance, bad plan.
Jackson	CO	LDF, JD	Yes	Yes	Dec. '69 1-72 (Elemen)	No New Motion Filed	Transportation
Greenville	CO	Private plaintiff	Yes	Yes	7-13-71	No New Motion Filed	No transportation in paired zones
Gulfport	VP	HEW	No	No	HEW	No New Motion Filed	Bad Plan
N. C.						4th Circuit Reaffirm	Student disruptions,
Charlotte	CO	LDF	*Swann*	*Swann*	6-29-71	2-16-72	Black student expulsions
Durham	CO	LDF	Yes	No	7-31-70	District Court	Bad Plan
Greensboro	CO	LDF	Yes	Yes	6-18-71	No New Motion Filed	In-school segregation, white teacher and principal attitudes
Raleigh	CO	JD, LDF	Yes	Yes	8-7-71	No New Motion Filed	Black student suspensions, community reactions, expulsions

Name	Voluntary Plan (VP) or Court Order (CO)	Gov't or Private Agency with Jurisdiction	Post-*Swann* Motion?	Post-*Swann* Plan?	Date of Last Court Order Under Which District Began 1971-72 Term	Status of Litigation	Major Problem Areas Identified by Monitors
S. C.							
Charleston*	CO	LDF	No	No	7-25-69	No New Motion Filed	Bad Plan
Columbia	HEW	HEW	Yes	Yes	HEW	No New Motion Filed	Need for doing something relevant
Florence	CO	JD	Yes	No	Consent decree 7-21-71	No New Motion Filed	Bad elementary school plan, tracking system
Orangeburg	CO	LDF	Yes	Yes	7-2-71	No New Motion Filed	Pretty Good District
TEXAS							
Austin	CO	JD, HEW	Yes	Yes	7-19-71	On Appeal	Community reaction, bad plan
Beaumont	HEW	Private Plain. HEW	No	No	2-14-67	No New Motion Filed	Bad Plan
Houston	CO	LDF, JD	No	No	5-30-70 Sec. 8-25-70 Elem.	No New Motion Filed	Bad plan, community reaction
Texarkana	HEW	HEW	No	No	HEW 8-7-70	No New Motion Filed	Bad student-teacher relations Community reaction
TENNESSEE					Order 3-8-72		
Knoxville	CO	LDF	Yes	(Submitted) Yes	7-1-70 AM. 9-1-71	On Appeal	Violations of plan, community reaction Bad plan; student assignments
Memphis	CO	LDF	Yes	No	5-1-70 AM. 7-27-71+	Memphis-Status of Litigation Order 4-20-72	No deseg. plan, community reaction
Nashville	CO	LDF	Yes	Yes	6-29-71	On Appeal	Community reaction, suspensions Bad plan, student assignments
VIRGINIA							
Norfolk	CO	LDF	Yes	Yes	7-1-71 AM. 7-23-71	On Appeal	Suspensions, expulsions White flight, transportation
Richmond	CO	LDF	Yes	Yes	April, 71 AM. 1-5-72	On Appeal	White Flight

+Board must file two plans from January 12, 1972. They are now in process.
*FIGURES FOR CITY OF CHARLESTON CONSTITUENT DISTRICT #20 ONLY.

I

MAJOR FINDINGS AND RECOMMENDATIONS

Based on the reports of our monitors herein are presented the findings and recommendations of this study. We believe these findings are also applicable to many urban school districts in the South not included in this monitoring project:

1. Equal protection of the laws is still not a reality for the majority of black students being educated in the urban South today.

Urban school districts in the South which have begun or completed the transition to unitary school systems have frequently not been subject to the same careful scrutiny by HEW's Office of Civil Rights, the U.S. Department of Justice, or private civil rights and educational agencies as was the case when these districts were more rigidly segregated and the school desegregation movement was more active. Now that efforts to preserve *de jure* segregation are less obvious it is widely assumed that the vestiges of the dual school system are being eliminated and attention can now be turned to other priorities. However, the results of this monitoring project indicate that many serious problems remain in urban school systems, that the end of even *de jure* segregation has not been achieved, and that the vestiges of a dual system of education based on race are very much present.

While there has been a change in the overt attempts at resistance and in openly racist attitudes which were very much a part of the urban South a decade ago, such change has been accompanied by the rise of more subtle and less obvious racist attitudes and practices which nevertheless are just as debilitating to equal educational opportunity for black students. Unless the task of eliminating *de jure* systems is completed and new strategies are developed for combating lingering vestiges of dual education as well as "second generation" problems, much of the progress achieved since *Brown* may be eroded and the momentum painfully developed over the past 18 years lost. The illusion of "progress," the inactivity

and even opposition of federal civil rights enforcement agencies, and the negative leadership of the President of the United States now place the movement toward equality of educational opportunity in serious jeopardy.

We therefore recommend that new efforts and resources of the federal, state, and local government, as well as those of private agencies, be committed to the increasingly complex problems of segregation and discrimination in the urban school systems of the South.

2. At least a dozen major school systems in the urban South are operating under shockingly inadequate and outdated court orders and desegregation plans.

De jure segregation has not yet been eliminated in some urban school districts which were touchstones of the desegregation movement in the South. Despite the *Green, Alexander,* and *Swann* decisions of the United States Supreme Court the affected districts, many of which have long histories of desegregation litigation, have taken no voluntary action to eliminate the remaining elements of their dual school systems. Also, these districts have not been taken back into court by attorneys of the Department of Justice or private civil rights agencies who represent the plaintiffs in these cases. For whatever reasons, the attorneys who have the responsibility for monitoring the progress of these districts in complying with Constitutional standards clearly enunciated by the U.S. Supreme Court have failed to file post-*Swann* motions for further relief. Some of the districts in which there has been no post-*Swann* litigation are: Birmingham, Montgomery, and Selma, Alabama; Baton Rouge, New Orleans, and Shreveport, Louisiana; Durham, North Carolina; Charleston, South Carolina, and Houston, Texas. In one district, Beaumont, Texas, HEW's Office For Civil Rights has failed to vigorously pursue action needed to eliminate that district's use of a freedom of choice desegregation plan which has been ineffectual in abolishing *de jure* segregation there. This lack of enforcement of Constitutional standards by government and private agencies has had the effect of making it appear that these standards are not applicable to the districts named above. School officials and many citizens in these districts believe they are in compliance with the law or that they have cleverly avoided compliance.

We therefore recommend that the federal government and private agencies take immediate legal and/or administrative action to correct these clear denials of equal educational opportunity.

3. Some school districts in the urban South are not only segregated, but also do not provide any form of transportation for their students.

Several major school districts were found to offer no form of transportation to students in their systems. In some cases this was due to state laws or policies preventing the use of school buses within the city limits of metropolitan areas.

Other districts have simply not chosen to provide such transportation. The absence of transportation provided by the school system means that students have to use public buses which places an economic burden on poor students. In other respects desegregation plans requiring new transportation arrangements have frequently placed a greater burden and inconvenience on black children than on white children. Because there is a tendency to put new schools in segregated white neighborhoods it appears the trend in the future will be to bus only black students.

In none of the districts included in this survey were the myths and fears about "busing" found to have much foundation. The primary problem is one of inconvenience. However, there was some evidence that political leaders were deliberately trying to make busing so inadequate and inconvenient as to generate more public protest against it. The Nixon Administration's ban on the use of Emergency School Assistance Program funds for school buses has meant that some districts are unable to provide transportation to poor children or to obtain additional buses for after-school activities from which children are often excluded (and parents inconvenienced) because of lack of transportation.

Therefore we recommend that where busing is required to meet the constitutional requirements of desegregation it be provided without cost to the student. We further recommend that federal funds be made available to help finance the capital cost or other transportation needs in these school districts.

4. A school district cannot desegregate half-way with success. Faculty and student desegregation must go hand-in-hand if there is to be quality integrated education and an end to segregation.

Our monitors found that in those districts which still have a significant number of one-race or predominantly one-race schools the school systems had frequently attempted to demonstrate their "good faith" by completely desegregating their faculties while retaining *de jure* segregated student bodies. Because of this our monitors received persistent complaints from students and parents about the many schools which have an all-black or nearly all-black student enrollment but where the majority of the teachers are white. Complaints indicated that white teachers in such settings not only do not provide adequate models for black students but are often uncomfortable, tense, and hostile. It is clear, then, that a school district must desegregate completely if it is to successfully work toward the creation of an integrated system.

In those situations where faculty desegregation has occurred there were also persistent complaints that well-qualified and experienced black teachers were replaced in the teacher crossover by young, inexperienced white teachers. Again, this is a significant factor primarily in those situations where a large number of white teachers have been brought into a majority black school. If, for example, the faculty ratio required in each school under the *Singleton* provision is 65 percent

white, 35 percent black, there are likely to be problems if the student ratio at a particular school is 75 percent black, 25 percent white, or higher. To a large degree that school still retains its identification as being "black" as far as its student body is concerned but it will have lost 65 percent of its black faculty in the teacher cross-over. What many community people are saying is that in this situation the black teachers who are transferred out are often the best ones in the school while the incoming white teachers are too often unequipped to serve the needs of black students.

In recruiting black teachers even the districts with relatively good recruitment programs were found to be merely holding their own in maintaining the same percentage of black teachers in the district as was present when desegregation began. Few districts were found to have truly aggressive or innovative recruitment programs which resulted in a significant increase in the number or percentage of black teachers, and some districts were found to be decreasing the number or percentage of black faculty.

We therefore recommend that in those districts where there is a high number of one-race or predominantly one-race schools there should be concurrent efforts to achieve student desegregation with faculty desegregation. In those cases where a unitary system has been achieved but there remain a number of one-race or predominantly one-race schools while there is an inverse ratio of black and white teachers, attorneys need to re-examine the *Singleton* concept in light of the black community's concern that the district's faculty ratio reflect the student ratio in the district. There is considerable evidence to indicate that in any case, regardless of the degree of remaining racial isolation in the schools of a unitary system, attorneys should request that a school district's faculty ratio equal that of the district's sudent ratio.

We also recommend that teacher associations, colleges, state departments of education and local school districts need to give more attention to the problem of how more black teachers can be trained, recruited, and employed by school districts in the urban South, to insure that black teachers and administrators continue to enter the education profession.

5. Resegregation is an alarming fact of life in many school systems of the urban South. This trend has been aided by federal and local state action.

While not always related to an increase in desegregation, the phenomenon of resegregation is nevertheless having a negative impact on the school systems of the urban South. We found no evidence of the federal government, local government, and school districts cooperating to develop strategies or programs to either combat or reverse this trend. There is very little state or regional leadership dealing with this grave problem which threatens to create pockets of uniracial communities in the urban South just as has occurred in other urban areas of our nation.

Manifestations of resegregation can be found in the increasing number of "shifting" schools and the permanent place that private, one-race schools are assuming in Southern cities. Some school districts are accommodating and contributing to residential segregation by constructing new schools in segregated neighborhoods. We found that some federal housing programs are contributing to resegregation through the creation of "new ghettoes." We found little or no effort by HEW's Office For Civil Rights and the Department of Housing and Urban Development to cooperate in order to develop complimentary rather than contradictory policies and goals. In the absence of their creating newly integrated neighborhoods which would make busing unnecessary we found that federal housing programs and the lack of a vigorous attack against housing discrimination were contributing to racial impaction, "shifting" neighborhoods, and additional racial isolation.

We therefore recommend that HUD and HEW establish a joint task force to plan a concerted and aggressive attack on the problem of resegregation in the urban South. Such a program should include providing financial and technical assistance to school districts and local communities working to deal with this problem. HUD and HEW should also cooperate to re-examine and reform their policies and practices which are in conflict with the goal of achieving an end to *de jure* segregation.

6. Because most school systems are using some means of grouping students according to "ability," a large number of black students are congregated in the lower academic groups of southern urban schools.

Our monitors found a large number of classes that are all-black or all-white or which are disproportionately of one race. The monitors also found that counselors are often the individuals most responsible for guiding students into various special schools, groups, curriculum levels, or tracks and that such guidance may be based on a counselor's inaccurate or prejudiced, subjective analysis of or reaction to a student's ability, interests, attitude, race, or economic background.

We therefore recommend that (a) HEW should immediately review its policy which provides that a class is not segregated if it contains just one student of the opposite race. It should also develop a comprehensive policy on grouping, tracking, and the use of special schools which result in the disproportionate racial grouping or discrimination against black students; (b) HEW and the Department of Justice should examine and evaluate the procedures which are used to place students at various levels in a school's curriculum.

7. Widespread student unrest is symptomatic of racism, insensitivity, and injustice found in many school districts of the urban South.

It is our belief that student unrest should be more specifically identified as student protest or student conflict. It is important, we feel, to make this distinction

because many of the problems responsible for unrest have been rooted in student protest against the insensitivity and injustices of school officials and other students. Much of the protest has resulted from the discrimination against or exclusion of black students in school activities. Where these problems go uncorrected or come to be manifest in tense day-to-day personal relationships among students, it is likely that students will become more vocal, demanding, aggressive, and even violent as an expression of their anger and frustration. At this point the line between student protest and student conflict becomes very thin indeed. The crucial elements in preventing or resolving student unrest were found to be the leadership and concern exercised by the principal and faculty, the willingness to trust students to assume some responsibility in working out their own problems, and receptivity to student concerns and grievances.

We therefore recommend that school districts in consultation with students be required as a part of their plan for desegregation to establish non-discriminatory policies and practices which will insure equal participation in all activities of the school community (as, for example, the numerically equal representation of all racial groups now required of ESAP student advisory committees).

8. Suspensions and expulsions of students have become so widespread as to raise serious questions concerning the effectiveness of these methods to enforce discipline.

Our monitors found that of the great number of students who are suspended, a disproportionate percentage are black. There are indications that many such suspensions result when teachers cannot cope with a life-style or behavior that does not reflect their own cultural or moral values. In most cases these teachers and administrators have been expected to deal with these students with no preparation, continued support, or assistance. As a result, the teachers, administrators, and students are suffering and are having to define and work out an *ad hoc* relationship of co-existence within the already frenzied atmosphere of the school. Students who are unable or unwilling to adapt often find themselves out of school.

In some school systems there is no promulgated statement of student's rights and responsibilities and therefore each principal or teacher is placed in the impossible position of reacting to or evaluating disciplinary problems solely on the basis of his own standards of conduct or life experience. The absence of such a statement also places students in the precarious position of not knowing precisely what their rights are or what responsibilities they must assume for the maintenance of minimal order in the school community.

We therefore recommend that (a) the whole process of discipline in the schools of the urban South be more closely examined and evaluated in light of the apparent failure of current procedures to have any positive educational or disciplinary benefit; (b) each school district have a uniform and well-understood code of student

rights and responsibilities which is the result of consultations among students, teachers, attorneys and school district officials. Such a code should also include provisions for due process in disciplinary actions involving suspensions and expulsions, and (c) HEW make staff available on a continuing basis for the express purpose of soliciting, receiving and investigating complaints *directly from students* who experience racial discrimination within desegregated schools and that, when investigation proves students have been discriminated against because of race by school officials, through school practices, or through school procedures (including disciplinary sanctions), Title VI be enforced.

9. The increased use of police and security guards in school systems of the urban South does not seem to have eliminated or significantly decreased the number of disciplinary problems in the schools and, indeed, there are some districts in which their use has escalated tensions and resentment in the black community.

The presence of police in the schools increases the chances of a fatal confrontation between police and students at some time in the future.

We therefore recommend that (a) the whole process of discipline in the schools of the urban South be more closely examined and evaluated in light of the apparent failure of current procedures to have any positive educational or disciplinary benefit; (b) each school district should have a uniform and well-understood code of student rights and responsibilities which is the result of consultations among students, teachers, attorneys and school district officials. Such a code should also include provisions for due process in disciplinary actions involving suspensions and expulsions, and (c) police should be removed from schools.

10. Communications and public relations between the schools and the black community are very poor. Our monitors found a significant lack of information and the presence of misinformation in the community.

Many citizens still do not feel comfortable in approaching the school system for basic information and the credibility of many systems is so poor that people frequently do not believe the information even if they receive it. There is little understanding of how the school system operates or what problems it is confronting.

We therefore recommend that (a) school districts understand that it is necessary to give special attention to working with the black community and meeting the needs of its children if the suspicion, distrust, and hostility generated by years of deception and deliberately imposed segregation are to be replaced by trust and confidence in the school system, and (b) community relations, parent involvement, and community education programs should be used to serve the needs of black families and to improve communications with the black community. First,

however, school systems must eliminate all remnants of *de jure* segregation and do it in a way that is just and equitable for the black community.

We also recommend that school districts be required, as a part of their plan for desegregation, to institute in each secondary school (or in each school district) a biracial committee of students, much as some court-ordered desegregation plans now require adult biracial committees. School districts would be required to insure that these student biracial committees be representative of the student body, and that they be of equal racial proportions in composition, that they be active, and that they be constituted so as to serve as a channel for the expression of student grievances and as a vehicle through which students can offer their opinions about fair school procedures and policies.

11. Successful efforts to end *de jure* segregation in school districts of the urban South are dependent upon the leadership of school officials and political leaders, community support, an approximate racial balance in each school, and sensitivity to how desegregation plans affect the minority as well as the majority community.

Our monitors found that districts which had successfully desegregated had not usually done so voluntarily but had, in most instances, responded to federal court mandates to abolish *de jure* segregation. The percentage of black and white students in a district seemed to have little bearing on how well or how poorly a district developed and implemented its desegregation plan. Whether significant new transportation arrangements were required had little bearing.

Districts in which the school, political, and community leadership made an effort to devise and support an effective desegregation plan usually had the most successful experiences. Where political leaders sought to capitalize on the busing issue, or where the school board resisted mandates to develop new desegregation plans, the system's constituency took its cue and community resistence flourished. This observation has been made so many times during the past decade of the school desegregation movement it is a truism but apparently many school systems have not yet learned from the lessons of those who experienced desegregation before them.

Districts which had court or school board appointed bi-racial committees to help develop and comment on the desegregation plan were more successful in soliciting community support for and understanding of their desegregation plans. These committees were particularly helpful in enabling representatives of the black community to play some part in the development of the plan or at least to comment on those features which affected the black community most directly.

School systems which were able to achieve an approximate racial balance in each school, thereby treating all areas of the district equally, usually had more success than those where a number of disproportionately imbalanced schools remained. City-county or metropolitan districts were also found to be more

successful in desegregating their districts, perhaps because those people resistant to desegregation could not so easily move to nearby districts with a more "favorable" racial ratio or with less busing.

12. The overall status of Chicanos in the school desegregation picture is not clear because the courts have not yet ruled that Chicanos have been the victims of the same type of *de jure* discrimination that blacks have suffered. However, in the two districts we surveyed that have sizeable Chicano enrollments, Houston and Austin, it is clear that school authorities have treated Chicanos as minority students even if they have not officially designated them as such.

There are some signs that school officials in Houston and Austin are now making some belated attempts to deal with the special needs of Chicano students. The percentage of Chicano teachers, still far below the ratio of Chicano students, has increased considerably in the last year as the result of special recruitment efforts. More effort, although still not nearly enough to meet the needs of the community, is being put into bi-lingual programs. Efforts in both of these areas should be intensified.

In both Houston and Austin, Chicanos have learned some bitter lessons from the desegregation efforts that have been implemented so far. While Chicanos are concerned with equal educational opportunities, they have witnessed the fact that desegregation plans have often placed a disproportionate share of the burden on blacks. It seems clear that Chicanos will not accept desegregation plans that call for the closing of the Chicano schools, one-way busing, and "integration" of two minority groups — blacks and Chicanos. Implementing faculty desegregation without student desegregation would probably be an even greater disaster in the Chicano community than in the black community. Not only do Chicanos have fewer teachers, but they are in many ways less assimilated into the Anglo culture than blacks. Implementation of *Singleton* without meaningful student desegregation would pose parallel problems to the situation it brought out in many black communities—loss of strong teachers, loss of "role-models," blows to ethnic identity, and influx of teachers less able to deal with the special problems of minority students.

Therefore we recommend that, if desegregation of Chicanos is ever going to work, it must be implemented with the recognition of the community's concern with preserving its distinctive culture. Special emphasis must be placed on the expansion of bi-lingual programs and the development of multi-ethnic curricula.

II

LEADERSHIP CAN MAKE A DIFFERENCE

Our monitors found that leadership was frequently the crucial element of difference between districts which had met their constitutional obligations and those that had not. Leadership, as manifest in the actions of superintendents, school boards, principals, and community organizations, is the subject of this section which attempts to show that some school districts and communities are trying with imagination and effort to make equality of educational opportunity a reality. The inclusion of a district in this section does not mean it has taken all of the initiatives it could or should have[1] for many of the districts here have serious problems that require further action if integrated and quality education is to be a fact of life for their students. In Houston, for example, there is a very enlightened school board, but very inadequate desegregation plan. Readers should also be aware that many of the good things mentioned here were achieved during the "crisis" period of transition from a dual to a unitary system. Whether or not these districts and others will address themselves to the more complex and subtle educational and social problems within the unitary system is still an open question. All we can say here is that these communities best met the initial challenge and therefore seem to have the best chance of making integration work.

SCHOOL DISTRICTS

Our monitors found only four school districts which, in their opinion, had not only yielded to complete desegregation but had made a real effort to make it work. One other school system, **Houston, Texas,** merited our monitor's opprobrium

[1]*The Houston Independent School District, for example, is still operating a* de jure *segregated system but is included in this section of the report because of other positive results of educational and community leadership which our monitor felt makes it distinct.*

because it is still segregated but was cited for efforts which were unique among the forty-three districts surveyed. Brief profiles of these five districts are given here to illustrate what can be done if school officials and community leaders work together to move toward equal educational opportunity. Among the districts included is **Tampa, Florida,** with only a 19 percent black enrollment but where new transportation arrangements were required, and **Orangeburg, South Carolina,** with a 67 percent black student enrollment where the primary challenge was to retain white support for the public schools. Desegregation in **Jackson Mississippi,** and **Greensboro, North Carolina** was facilitated by leadership from their school boards with the assistance of some creative support from community organizations. Mention should also be made of **Columbia, South Carolina** and **St. Petersburg, Florida,** which also accepted desegregation requirements with relative good grace under sensitive leadership; but these districts are not included here because of other factors which make them less exemplary than the other school systems described.

Tampa, Florida

In spite of national doubts about desegregation and the use of busing to achieve it, the Hillsborough County School District has managed to achieve a racially balanced school system through the use of extensive busing with little public outcry.

The Tampa system has about 102,000 students enrolled with a racial ratio of 81 percent white, 19 percent black. The district's seven-member school board is all-white and dominated by persons who might be described as "conservative."

In 1970, the school district was significantly desegregated under a court order, but there were a few all-black schools remaining and some heavily white proportioned schools. The faculty had already been desegregated. Following *Swann,* plaintiffs' attorneys filed a motion for further relief and the U. S. District Court ordered the district to develop a plan that would meet the law's requirements.

The school board instructed the staff to devise a plan which would comply with the Court directive and a small committee, chaired by one of the top black staff people in the district, was appointed to carry out this assignment. A special citizens' group, the School Desegregation Committee, including nearly two hundred people representing all segments of the community, was also appointed to share in the process of plan development. This group divided itself into a number of subcommittees. While the details of the desegregation plan were actually developed by the district's staff, the citizens' group did have an opportunity to comment on the plan and make suggestions before it was finalized. This process of community involvement was a crucial first step in gaining public understanding and acceptance of the plan.

In preparing the plan, the staff also used the expertise of the Charlotte, North Carolina, superintendent who had faced a similar situation in his district. When the plan was adopted, the Tampa school transportation director went to Charlotte to see how things were done there. The Florida Desegregation Center staff from the University of Miami was also involved in the plan development.

The plan that emerged created an approximate 80-20 racial balance in every school in the county. Because all Florida school districts are county-wide and therefore metropolitan in scope there was no real threat of whites fleeing to geographically contiguous districts to seek a more "favorable" racial balance. The new plan called for busing 52,795 students, an increase of 20,389 over the previous year. The plan was supported by the local news media and the Parent Teachers Association.

(For a more complete account of busing in Hillsborough County see the NAACP Legal Defense and Educational Fund's report, "It Ain't the Distance, It's the Niggers," released in May, 1972).

Jackson, Mississippi

Probably no other school district in the nation is so stereotyped as Jackson. Even as a school system that has actively resisted desegregation in the courts for seven years, Jackson has the misfortune of being the capital of a state that has come to symbolize the darkest side of America's character.

What is impressive about desegregation in Jackson, then, is not only that it finally happened, but that it happened in the capital of Mississippi. Actually, Jackson had taken a giant step toward full desegregation during the 1970-71 school year, but that plan left several elementary and secondary schools virtually segregated. After the *Swann* decision, a new plan was developed using extensive busing. The plan had the approval of the plaintiffs' attorneys and the school board, and a consent decree was issued by the Court.

Under the plan, 7,000 more children are bused, two educational park plazas are to be built to house all fifth and sixth graders in the system, and there will be a moratorium on future school desegregation litigation for at least three years. There are indications that Jackson's efforts to make its desegregation plan work for its 30,000 students (64 percent black, 36 percent white) was due to some new leadership on the school board, a new superintendent, and the business community's realization that public education might very well disintegrate because of the high degree of white flight. Jackson's problems are far from over, but it now has the advantage of having a desegregated system in which energies and resources can be focused on developing a quality system of education.

(For a more extensive treatment of Jackson's desegregation progress and prob-

lems, see John Egerton's article, "Report Card on Southern School Desegregation," *The Saturday Review,* April 1, 1972, pp. 41-48).

Greensboro, North Carolina

Our monitor was far from happy with what he found in Greensboro, but was, at the same time, impressed with the quality of the community leadership which he felt had been largely responsible for the acceptance of desegregation there.

The Greensboro school system has 30,000 students enrolled and is about 35 percent black, 65 percent white in its student population. The city council appoints the district's seven-member school board which has had at least one black member since 1953. The present board has two blacks and two progressive whites who generally vote along the same lines. In June, 1971, a U. S. District Court ordered the school district to implement a new pupil and teacher assignment plan that had been suggested to the court by the school board.

The community acceptance of the desegregation order and the maintenance of an atmosphere which our monitor characterized as "probably superior to that of almost any other city in the South" was largely the work of the Chamber of Commerce and other community organizations. Soon after the court order, the Chamber's Community Unity Division established a group known as the Concerned Citizens for Schools. The name of the organization was carefully chosen so that those opposed to the desegregation order would be unable to organize a group and, as so frequently happens, name it Concerned Parents or Concerned Citizens. Thus, from the outset, the role of Concerned Citizens for Schools was not only to mobilize support for the plan and help to make its implementation workable, but also to step into the leadership vacuum which is often filled by vocal opponents to desegregation. Concerned Citizens is now operating under a grant from the Emergency School Assistance Program.

The Chamber of Commerce and other organizations also financed and sponsored several sensitivity sessions in the spring prior to the court order. The Chamber realized that a new desegregation order was imminent and was trying to prepare the community before it came. These sessions included students, teachers, and parents. Many people credit them with having contributed to the relatively peaceful opening of school. The Community Unity Division of the Chamber had also been sponsoring neighborhood "bull sessions" for the previous year and this may have also been responsible for the successful implementation of the desegregation plan. After the desegregation plan had been ordered the community voted in favor of a bond issue for construction and other school purposes.

There are other positive aspects to the Greensboro school district. Each high school now has one or more black head coaches in at least one major sport (football, basketball, track, and baseball), the Assistant Superintendent of Admin-

istration is black as is the Director of Student Affairs. There have been no demotions or dismissals of principals, assistant principals, or teachers. In fact, there have been both some promotions of blacks to the district's central office and the creation of some new black principalships.

As a result of initiatives by the North Carolina Department of Public Instruction, a new seventh-grade course, "Africa and the Orient" has replaced the traditional "North Carolina History" course. Each senior high school in Greensboro is offering a one-semester elective course, "World Culture—Africa." In addition, each high school is offering "Ethnic Literature" and "Black Literature," each as one semester courses.

To our monitor, Greensboro is illustrative of "the positive things that can happen and the negative things that can be avoided if community leadership, black and white, take a hold of things." He pointed out, however, that an enlightened majority on the school board was also a critical factor.

Orangeburg, South Carolina

After a long history of resistance to all efforts to advance desegregation, the Orangeburg school district has made a remarkably enlightened transition to a unitary school system.

The Orangeburg district has a student enrollment of 6,700 of which 67 percent is black and 33 percent is white. Two black professionals serve on the five member school board which is, nevertheless, basically conservative.

Swann was anticipated by the Orangeburg school superintendent who drew up a plan similar to one proposed by the NAACP calling for racial balance in each school. The Orangeburg district had for years capitalized on the lethargy of the federal judiciary to delay the abolition of the dual system. After *Swann,* however, the district's case had been remanded back to the judge from the U. S. Fourth Circuit Court of Appeals where it had been on appeal since 1970. The handwriting on the wall was clear to the superintendent and school board who decided to eliminate the dual school system once and for all.

In making the transition to a unitary system in an area with a history of racial confrontations, the school authorities were assisted by small groups of concerned white individuals. These people held meetings in their homes and invited school officials to talk to their neighbors about the plan and urge their support.

The school district also used its ESAP money wisely. In August, the district used ESAP funds to finance a conference of the district's student leaders at a motel in Santee, South Carolina. It brought students together with school personnel and officials and community leaders to discuss possible student problems during the coming year. The Center for Integrated Education at the University of South Carolina assisted with human relations and leadership training. Subsequent

human relations workshops seemed to have been helpful in bringing students together to avert the kind of tension found in most districts. This year, the representation on the student council is approximately 60 percent black, 40 percent white.

This district has also used ESAP funds to hire "interventionists" who act as liaisons between the schools and the local press. As a result, the local newspaper is filled with news stories about public school activities and programs. One board member told our monitor that press relations have improved considerably because of this effort.

One black principal was promoted to Assistant Superintendent and his position of principal was filled by another black. A black principal replaced a white principal at one school. As far as our monitor could tell, black principals do not seem to have suffered during the desegregation process.

The use of "Dixie" and the Confederate flag were voluntarily eliminated by the school system this year after they had caused problems in 1970. The golf team, which had always played at segregated private country clubs, was eliminated. When the black and white high schools were paired to make a two-campus high school, one name was given to the newly structured school. The name "Orangeburg-Wilkinson High School" incorporates the names of the formerly black and formerly white schools and is used at both campuses. There does not seem to be a problem with the extensive suspension of students as was found in many other school districts. Students interviewed by our monitor could not recall any major fights or racial conflicts between students.

Nothing could have done more to provide unity to the Orangeburg school system than the success of the merged and renamed high school football team. In winning the state championship, the team kept community support and united the students. Thus, a combination of yielding to reality, skillful planning, luck, and fair play helped the Orangeburg school system hold its white enrollment in a stronghold of segregationist academies. The foundation for establishing a successful integrated school system has been laid in Orangeburg.

Houston, Texas

After many years of educational mismanagement and ultra-conservative leadership, the Houston Independent School District (HISD) is now moving forward because of new initiatives resulting from the interaction of a progressive school board and an awakening community. Though this report deplores the fact that the Houston system still has not remedied the segregation of racial and ethnic minorities in its schools, as demonstrated later in this report, the dramatic efforts of school officials to provide a quality education for all children—a startling contrast to the preceding decade of resistance to change—has somewhat eclipsed the struggle for desegregation.

To understand just how far Houston has come, we must first examine the record of the district's school board before 1970. For more than ten years the 200,000-pupil Houston school system was controlled by a board determined to resist any form of federal aid to education as well as desegregation. It was not until the late 1960s that the board finally yielded and permitted the district to participate in the free lunch program. Even then the board attempted to keep the number of participants at a minimum and virtually branded the children as welfare recipients. The school board was dominated by people with insurance business connections, and it came to light that teachers were being pressured to buy insurance from these companies. There was questionable letting of contracts, and nepotism was rife. In the fall of 1969, the HISD staff moved into a beautiful new $6 million administrative building while the board announced that the district was in debt and that free kindergartens would have to be discontinued. Severe retrenchments were also made in special reading and music programs when a referendum to approve a tax rate increase and school building bond issue was defeated.

In 1960, the school district, under court order, began a grade-a-year desegregation plan in which students who had been formerly zoned to black schools and white schools by race, rather than by proximity, were allowed to attend either school in their zone beginning with the first grade. However, the board went so far as to authorize cross-town busing of students past neighborhood schools to schools as distant as twenty-six miles in order to maintain the racial integrity of those schools.

At the beginning of the first year of desegregation, the principals of the formerly all-white schools to which black students had been admitted were instructed to provide separate toilet facilities for the black students. Only after considerable community protest was the policy of requiring segregated toilet facilities abandoned in the fall of 1962, three years after desegregation had begun.

In 1967 a community group known as Citizens for Good Schools (CGS) was organized to monitor and challenge the educational establishment in Houston. After two years of fact-finding, disseminating information, and haggling with the status-quo school board, CGS offered a slate of four candidates in the 1969 election. There followed a bitter election campaign in which the incumbents sought to inflame emotions around the desegregation issue. The incumbent board's use of busing to preserve *de jure* segregation enabled the CGS candidates to oppose busing and favor neighborhood schools, and support a racially neutral desegregation plan (one which did not seek to preserve segregation but which did not completely eliminate it either). The CGS candidates were victorious.

Things began to change in the Houston schools shortly after the four new board members took office and assumed the voting majority on the seven-man board. The status-quo superintendent who had initiated the segregated toilets resigned

before the composition of the board changed in 1970 and the new voting majority immediately went to work to find a new administrator for the district. Ultimately, Dr. George Garver came to Houston from a 10,000-pupil system in Michigan.

In its first five months in office the board appointed nearly a thousand citizens to various committees to assist the board in developing progressive policies in such areas as human relations, special education, vocational education, desegregation, general instruction, etc. The board sponsored a program where the 18,000 children in the district's kindergarten program were screened for learning disabilities by more than 1,800 volunteers. The volunteer program has been expanded to include many services previously unavailable to principals, teachers, and students.

Before the new board had assumed control, the district's desegregation case had been reopened as the result of new initiatives taken by Legal Defense Fund attorneys. When the new board took office it immediately fired the board's conservative attorney and hired a prominent appellate attorney just to handle desegregation cases. It also had pupil locater maps drawn up for the first time in the district's history and began to develop new desegregation plans to be submitted to the U. S. District Court. The board saw as its task to "(1) comply with the requirements of the courts; (2) act within the constraints imposed upon a representative of citizens to whom the massive busing of students was not acceptable." In preparing the desegregation plans, the board held conferences in all sections of the city in order to describe their intentions and listen to suggestions of school patrons. School board members also spoke at church gatherings and civic groups throughout the city.

Meanwhile, however, the board anticipated an order requiring faculty desegregation and called for the immediate transfer of teachers and principals to eliminate the racial identifiability of all schools insofar as administrative and teaching staffs were concerned. Complying with requirements for faculty desegregation already ordered in many other school districts in the South, the board transferred personnel so that the racial and ethnic percentage of teachers in each school reflected the percentage of teachers in the district as a whole— 64 percent white, 33 percent black, and three percent Chicano. The board's plan was endorsed by the Houston Teachers Association, and the board let the HTA decide how the cross-over of the 45,000 teachers would take place. Obviously, the leadership of the HTA made the implementation of the faculty desegregation plan much easier. The dismissal and demotion of minority group principals and teachers did not become issues in Houston, and our monitor heard no complaints on this subject.

When the court finally ordered a desegregation plan, the board strongly urged compliance with it (as will be seen later the plan ordered required little desegregation). Two prominent white board members took advantage of the order's

majority-to-minority transfer provision to move their children from schools in which they were a racial majority to inner-city schools where their children were in a substantial racial and economic minority. This was a dramatic demonstration of the board members' leadership.

The Houston board has also achieved the following in its two years in office:

— Received a $1,042,100 Emergency School Assistance Program grant to establish such activities as a Community Leaders Development Program, a Human Relations Fall Festival, a Cultural Awarness Workshop for Counselors, Mexican-American Student-Parent Involvement Program with eleven bi-lingual social workers, Student Rap Action Groups, two Community Development Centers for Quality Education, etc.

— Reorganized and somewhat decentralized the administration of the school district. There now are six area superintendents with significant powers over their areas of the city. Two of these area superintendents are black, one is Chicano. The Deputy Superintendent and Chief Instructional Officer is black and has meaningful powers. He is in fact the number two man in the system.

— Initiated management procedures which ended fiscal corruption and saved the system much money.

— Opened a High School for Performing and Visual Arts as a "magnet" school with a heavy emphasis on multi-ethnic curriculum. Opened Ashford Elementary as an "open concept" school stressing individualized instruction, team teaching, and parental involvement.

No one, then, can assert with much credibility that the educational system in Houston has not significantly improved since the progressive element of the board gained control in 1970. As a result of a 1971 election in which the remaining three members of the conservative board were replaced by candidates of the Citizens for Good Schools, the board is now entirely controlled by those seeking to provide a just and quality education for all children in Houston.

Another facet of the Houston story has been the organization and empowerment of the Chicano community around educational issues. The interaction between the progressive school board and Chicano citizens has often been tense and characterized by confrontation, but when considered as a whole, the experience has been a positive one for the school system and Chicanos.

The desegregation plan for Houston had included one feature which had not been part of any of the proposed plans submitted to the court by the plaintiffs, defendants, or outside experts. That feature, drawn up by judges on the U. S. Fifth Circuit Court of Appeals, called for pairing about a dozen elementary schools to allegedly achieve greater desegregation. In fact, however, the pairings

resulted in combining schools that were majority black with schools that were majority Chicano. Thus, new schools were created which were not truly integrated in the sense that the white majority in the school system was barely affected. The Houston school board saw this as only "statistical desegregation" and appealed the decision to the U. S. Supreme Court, but their efforts to get this part of the order reversed were unsuccessful. The school board could have voluntarily corrected the situation by including some white schools in the pairings, but it was unwilling to take this step. The burden for this desegregation *faux pas* of integrating minority groups must fall on the Fifth Circuit, but the school board was at least partially at fault for not voluntarily correcting the situation once it became clear there was no alternative through the courts to dealing with the court-ordered pairings.

The Chicano community reacted rather strongly to this kind of fraudulent desegregation, and formed the Mexican-American Education Council (MAEC). Rallies of 5,000 to 7,000 Chicanos were held protesting not only the pairings but also the tremendous Chicano drop-out rate of 89 percent, malnutrition, poverty, drugs, etc. Though Chicanos had always been considered as "whites" under the dual system, in Texas they were more educationally disadvantaged than blacks.

With all segments of the Chicano community represented in MAEC, the organization became the only grass-roots educational group in Houston. MAEC decided to protest the pairings by calling for a boycott and establishing *Huelga* (strike) Schools for students to attend while they were out on the boycott. Teachers at the school were required to have a college degree or 90 hours of college work, and the *Huelga* Schools followed the HISD curriculum. The boycott was tremendously effective, and some 6,000 Chicano students participated with about 2,500 of these attending the *Huelga* Schools.

The Houston school board had been reluctant to recognize MAEC as a representative community organization, but the survival of the boycott and a startling public confrontation initiated by Chicano youth forced the board to acknowledge MAEC's presence and power. Throughout September, 1970, the HISD and MAEC negotiated the demands of the Chicano community.

The demands and the subsequent actions of the board are too extensive to detail here, but as a result of the negotiations the following occurred:

(1) The HISD agreed to recognize Chicanos as a distinct ethnic minority for purposes of educational programs.

(2) By the 1971-72 school year, the number of Mexican-American principals in the HISD had increased to 13 from six in 1970-1971 and three in 1969-70.

(3) Students and parents who participated in the boycott were not punished or reprimanded.

(4) By 1971-72, the number of Mexican-American teachers in the HISD had increased to 312 compared to 231 in 1970-71 and 181 in 1969-70.

(5) All committees, commissions, and study groups appointed by HISD have proportionate representation of Mexican-Americans.

(6) Greater emphasis has been placed on providing a curriculum and textbook material portraying the role of Mexican-Americans in American history.

At the end of six weeks, the MAEC felt it had achieved enough success in its negotiations to call off the boycott. One *Huelga* School is still operating with about 500 students enrolled. MAEC hopes to establish this facility as a model, community-controlled school. MAEC is still a strong and viable organization which has had a wide impact on Houston. Chicanos have recently helped to elect the new liberal school board, the first black city councilmen, and a Chicano city controller.

MAEC also applied for and received a total of nearly $90,000 in Emergency School Assistance Program funds. The programs operated with these funds include monitoring the educational system, counseling, and tutoring. The counselors visit all schools with Chicano students. They then interview principals, go into classrooms to analyze teaching methods, and meet with teachers, counselors, and students at the schools. The counselors work with drop-outs and high school seniors and provide information about college opportunities and conduct classes in how to take the Scholastic Aptitude Test.

What our monitor found in Houston, then, was an atmosphere of movement and hope. The educational leadership may be as good as any in the nation. The school board is responsive to the needs of all segments of the community. Minority groups are beginning to develop a meaningful power base and are learning that such power can be effectively utilized when there are public officials who are willing to listen and change.

But there is still a dual school system in Houston, and therein lies the dilemma of the school board, community groups, and civil rights agencies. The liberal board clearly feels that to press for greater desegregation (which almost certainly would require significant new transportation arrangements) would just add to the tremendous white flight that has already taken place. A metropolitan-wide desegregation suit would bring better desegregation results, but it would also mean the return of educationally and politically conservative members to a metropolitan-wide board. The minority community senses this reality and it too is hesitant to risk what genuine progress has been made by pressing for the uncertainties of greater desegregation. All of this may seem like just more "been down so long it looks like up to me" to the determined advocate for greater desegregation, but our monitor found these concerns of decent people difficult to ignore. Because any meaningful desegregation in Houston seems dependent

upon the outcome of the Richmond, Virginia, metropolitan desegregation suit, the dominant atmosphere in Houston is resignation combined with anticipation. In the meantime, they are trying to find out if quality education with justice and opportunity can be realized even in a system that is segregated along racial and ethnic lines. In the words of our monitor, "If the neighborhood school policy (i.e. separate but equal) does not work in Houston, it will work nowhere."

PRINCIPALS AND ADMINISTRATORS

Success in desegregating schools depends to a considerable degree on the leadership of administrators and principals who must deal with the realities of a new student constituency. The individuals cited here are representative of educational professionals throughout the urban South who are working with considerable patience and perserverance on the front lines of change, but our monitors found that such tough and sensitive leaders were more often the exception than the rule in many school districts. The following profiles include Area Superintendent Lawrence Marshall of **Houston, Texas,** whose introduction to his new position of responsibility was a baptism of fire, Miss Lillian Brinkly whose commitment to desegregation and parent involvement was severely tested as a principal in **Norfolk, Virginia,** and Mr. F. W. Poates of **Richmond, Virginia,** who learned that even a white principal has to walk a tightrope in a desegregated school. One thing is clear: Principals and administrators are learning new skills and utilizing new resources because of desgregation. Their leadership is sorely needed on the long road to equal educational opportunity.

Mr. Lawrence Marshall
Area Superintendent
Houston, Texas

Last year there were several serious racial conflicts at Sam Houston High School (14 percent black, 9 percent Chicano, 76 percent white) culminating in a very serious one in February, 1971. There has been no problem at Sam Houston this year.

Under the dual system, Sam Houston High School served a low-income, blue-collar area. It was the center of the old conservative regime that controlled the Houston Independent School District. The principal there used to raise $30,000 to $40,000 for school board elections. He also used to cut out of books pages on subjects like Negroes and the United Nations. And one person said, "He brought in every redneck teacher he could find."

The new principal, Kenneth Wilbanks, who had been assistant principal there, tried to move the faculty, but he inherited one of the most racist faculties in Houston, and one with no experience with blacks.

Under the desegregation plan announced just before school opened in August,

1970, about 300 black students who had been attending all-black Kashmere High School were zoned into Sam Houston. The students did not want to leave Kashmere and they felt a deep sense of alienation and frustration at Sam Houston. Because of the racist white faculty and the lateness of the court order, there was no effort to prepare the white students.

Four racial conflicts occurred during the fall and winter. The main instigators were two white coaches who used racial slurs to push their teams to victory. During the winter, the decentralization of administration took place, and it was announced that Lawrence Marshall, a black principal of an inner-city Title I school, would be the Area Superintendent for Sam Houston. Marshall's first day on the job was February 2, 1971, and on that day Sam Houston blew up again.

Students always gathered in the cafeteria before school started. On a Monday, 200 white students started fighting with 300 black students. The next morning, the black students started the fight in retaliation. School personnel broke up the fight but [illegible] before one student was stabbed and several other students received minor injuries. The school was closed down.

Houston sources feel that the two racist coaches incited the white students to give the new black Area Superintendent a reception. Marshall said, "I left my office for a week and worked at that school morning to night. I put all my resources into that building." He first fired the two coaches (who took jobs in suburban districts, which they had lined up before).

Marshall designed a student questionnaire to find out how the students really felt. He formed two student committees, one black and the other white. Members were selected by the students. There were no criteria for eligibility so those with peer respect and leadership ability were selected. The first day after the school was closed, all twelfth-grade students, parents, and their teachers came to school for rap sessions. Blacks and whites met separately and then together. The rap sessions went on for ten hours. They were repeated the following day with eleventh graders, and the next day with tenth graders. Marshall said, "For the first time, everyone had the opportunity to vent their feelings. They developed mutual respect for each other. The whites said the blacks were never punished. For the first time they found out how blacks were being punished."

The school re-opened on Monday with stiffer, but fairly administered discipline, and with a bigger effort to involve black students. Marshall decided there were too many students for administrators, so he recommended that another assistant principal be brought in. That brought the staff to three white and two black. An extremely insensitive assistant principal, whose name kept popping up on student questionnaires, was reassigned to "inanimate objects"—i.e., textbooks, etc.

This year there are black football players, other athletes, and cheerleaders. The school is still somewhat tense, but calm. There have been no incidents.

When asked what accounts for the fast change, the principal said, "There is no key. You have to have an attitude change, and get the kids working together. I guess being firm, fair, and having an open-door policy to anyone with any problems is the answer."

Miss Lillian Brinkly
Madison Elementary School
Norfolk, Virginia

Two years ago, Madison Elementary School was an all-black elementary school located in a lower-income black neighborhood. In the 1970-71 school year white children were assigned to it for the first time. These children came from the affluent white neighborhood of Larchmont in which reside a number of the city's influential citizens. The first year of desegregation was also the first year as principal for Miss Lillian Brinkly, a young black woman who had just attained her academic credentials for the position of elementary school principal.

The white parents whose children were assigned to the school expressed their displeasure, creating constant problems for Miss Brinkly and her staff. The day school opened, a large group of parents congregated in the parking lot. They entered the building, went into classrooms to observe the teachers, wandered up and down the halls, and converged on the principal's office to demand transfers and register complaints. This behavior occurred for most of the school year. The parents said that they wanted to go into classrooms to observe the teachers because they believed the staff to be unqualified. Miss Brinkly felt that the parents were trying to dictate to her and the staff and in effect, trying to run the school. Among the most troublesome parents was a white school board member. The principal wanted the parents out of the classrooms.

While believing strongly in parent involvement, Miss Brinkly did not want the parents in the classroom disturbing the education program. She asked the central office to back her up by instructing the parents that they could not enter classrooms, but that they were welcome at the school to discuss their children with teachers and the principal. The central office equivocated. It did not want to offend the influential white parents. Rather than back the principal, Assistant Superintendent Sam Ray (who himself lived in the Larchmont neighborhood) worked out a plan whereby the parents could volunteer to work as aides in the classroom.

Large numbers of white parents did get into the classrooms ostensibly as aides, but as the year wore on, most stopped coming. Only one or two mothers were genuinely interested in working as teachers' helpers.

The parents created continuing problems for the school. The white-dominated PTA decided to do a survey of parent attitudes toward the school. The survey was drawn up without consulting any school personnel and was sent out to parents who

were asked to return their responses to the principal's office in a sealed envelope. The PTA leaders made a report to the school board on the basis of the responses in which they claimed that an overwhelming number of parents were dissatisfied with the school's program, its staff, and principal. The parents sought to force the school board to transfer their children to another school.

Unknown to parents, Miss Brinkly had steamed open every envelope and copied each response. When she was asked to speak at the board meeting, she revealed what she had done and demonstrated on the basis of parent responses that the majority of the parents were favorable to the school, and that only a minority of parents had voiced complaints.

The central office took two other actions to pacify the white parents. As a black school, Madison had a seventh grade, but in its first year of desegregation it was supposed to teach only grades four, five, and six. At the last minute before school opened, however, some seventh graders were assigned to Madison. The absence of a junior high program fueled the complaints of parents. Within two weeks, a seventh grade program was put back in the school.

Later in the year, sixth grade students were given an algebra test to determine whether students could take algebra in junior high school. Some white parents whose children did not make the passing score complained to the testing department in the central office which then lowered the score for passing so that these few white children would pass the test. But the testing department took this action only in behalf of the complaining parents and not on behalf of all other children similarly situated. When Miss Brinkly learned what had happened, she told all sixth grade children to sign up for algebra if they wanted to, irrespective of their score on the test.

Still another incident developed over a camping experience. All sixth grade students in the city spend one week at an outdoor camp operated by the school system. Several white parents refused to permit their children to attend this camp and demanded that the system provide regular classroom instruction in the school during the week that the sixth grade classes and their teachers were at the camp. The central office refused to do this.

The sixth grade teachers were then required to make up special lesson plans for the students who remained at the school and were required to return to the school every afternoon after camp to correct the work that had been done. This caused a double burden for the teachers that week. The principal was convinced that the parents' refusal to send their children to camp was a racially motivated fear of association with black children in an open and free environment.

Despite the controversy, complaints, and problems caused by the Larchmont parents, Miss Brinkly had quiet background support from white parents who were too afraid to express their opinions openly. Miss Brinkly got little support from

the black community in her struggle with white parents. Black parents never attended PTA meetings in any number. At one particularly crucial meeting, she and a few black ministers went door-to-door begging parents to attend. A larger contingent of black parents than usual showed up at the meeting, and, although they were silent during the meeting, their very presence tended to prevent the more outright hostile attacks on the principal and the school.

Desegregation wrought definite changes at Madison. Miss Brinkly told our monitor, "If there is one thing that comes out of the desegregation movement, it is that black children are getting equal physical facilities for the first time." Prior to integration Madison's lunchroom did not have a health permit, the linoleum was worn through to the concrete sub-flooring, the kitchen equipment was old and worn out, and one teacher told her the lunchroom had a persistent foul smell. The school was not in good condition when it opened in September, 1970. Although janitors had cleaned the hall floors, they were still dirty. Miss Brinkly was up until 2 a.m. the night before school opened scrubbing the floors herself.

Overnight, the school system put in new kitchen equipment, a new floor, new cafeteria furniture, and new food storage equipment. Someone remarked that the smell in the lunchroom was gone. In the first year of desegregation, there were other minor changes, such as paper towels in the washrooms. The central office has approved a new paint job for the entire school and certain remodeling of the ceilings to reduce the noise level.

The Title I Program at Madison is a High Intensity Reading Program, but the criterion for admission is that a student can be no more than two years behind in reading. Yet there are students in the school who are more than two years behind who are not getting the help they need in their regular classes. Miss Brinkly has worked with a sixth grade boy who did not know his alphabet. Because he was ineligible for Title I assistance, she obtained some sandpaper from a local hardware store and cut out letters so that the boy could gain an understanding of letters through his tactile sense.

Only five schools in Norfolk have this High Intensity Reading Program. Some people believe it was put into the school to help augment the instructional program so that the central office could demonstrate to white parents that everything was being done to upgrade the quality of education in the school. The program does not, and was not designed to, meet the most serious academic needs of the children. Neither the principal nor the faculty asked for the program.

This year, life is much different at Madison. The white parents who had refused to accept integration have finally got their children into a private school. The remaining white parents accept the situation. A boundary change picked up Navy families who were more accustomed to interracial situations and desegregated schools than most white families. The presence of Navy children in the classroom

is a moderating influence on other white children. Children are coming to school alone, and there are no longer hoards of parents swarming over the school and into the principal's office. Miss Brinkly had decided after last year to ask for a transfer from Madison or resign her position. The superintendent agreed to her transfer, but a week later he rescinded it and asked her to stay at Madison. His action was based on a letter which he had received from 100 parents praising Miss Brinkly and the job she had done as principal. Some of the same parents who had caused her so much grief had signed the letter.

Mr. F. W. Poates
Elkhardt Middle School
Richmond, Virginia

Elkhardt Middle School is a neighborhood school located in a lower-middle income, predominantly white community which is in the annexed part of the Richmond City Public School District. Formerly a white school, it has been desegregated for two years. In the first year of desegregation (1970-71) under Judge Merhige's interim plan, Elkhardt was 30 percent black. In the 1971-72 school year, it is 56 percent white and 44 percent black. The desegregation of the school was not accomplished by pairing it with another middle or junior high school. Blacks and whites live in the neighborhood of the school and the farthest distance any pupil is bused is three miles.

Busing has been an accepted practice in this section of the school district because it was formerly part of the Chesterfield County district where 90 percent of the students were bused. The principal has seen incidents on the buses for seven years, but nothing he would attribute to desegregation. Aides ride on buses that transport elementary students.

Mr. F. W. Poates is principal of Elkhardt Middle School. He has been there for seven years, four years as its assistant principal, one year as its principal before desegregation, and two as its principal after desegregation Mr. Poates became principal of one of the most troublesome schools in the system and has weathered some fairly rough desegregation storms in the past year and a half.

Mr. Poates' most serious problems occurred in the first year of desegregation. A fight took place between a black child and white one, and was treated in the normal manner and settled to the principal's satisfaction and to the satisfaction of the two children. But rumors developed over the incident. Mainly fueled by white parents, rumors of violence, slashings, and beatings were widely circulated in the community and fed to the press which has a history of opposition to desegregation. A crisis developed and 800 children (out of an enrollment at the time of 1,300) were pulled out of the school. The boycott lasted only four days. There was a strong PTA at the time, and the principal sought its help in quelling the rumors. White parents were brought in by the PTA to monitor the halls with

the help of the staff, gradually reassuring parents that the stories circulating about the school were false.

In the first year of desegregation, the school was seriously overcrowded. It had a capacity of 930 students, an enrollment of 1,300. Thirteen portables were added. Classes were held in the cafeteria and gym. This year, the school is under capacity with some 750 students. It serves grades six, seven, and eight. Activities and athletics programs which were in existence last year had to be reorganized this year because of desegregation. Interscholastic athletics were eliminated but this was not due to desegregation. Mr. Poates wishes he had them back. They help to pull parents to the school when they wouldn't come for any other reason. Students established organizations and clubs which meet three afternoons a week. Special bus runs, made possible by ESAP, take the children home after four o'clock. Black students have largely taken over the clubs and athletics, according to Mr. Poates. White parents have been putting subtle pressure on their children to come straight home after school. Mr. Poates and his home-school coordinator (also made possible by ESAP) went to community meetings, including meetings in the black community, to solicit parent support for desegregation, the PTA (which is non-active this year) and for student activities. White children are coming into the activities gradually, but blacks still control everything, including the Student Cooperative Association which functions as a kind of student government. Mr. Poates feels that children the age of sixth, seventh, and eighth graders have not developed a capacity to deal with real policy issues or to lay down rules and regulations. The SCA contributed to the desegregation process by conducting meetings two years ago to discuss interracial relations in the schools. These were set up by students and are credited with doing much to set a positive tone among students for school desegregation.

THE COMMUNITY

Our monitors found some urban school districts where admirable efforts were made by community groups to push for desegregation or to make a district's desegregation plan work. Community support cannot, however, be effective in a vacuum. If a school district is unwilling to demonstrate leadership on its own (as has been the case in some of the districts mentioned below) no amount of community support can be expected to turn the school system around. Some extremely energetic and creative community groups can have a healthy impact on the school district and even change its leadership, but without leadership on the school board and in the superintendent's office such efforts are likely to achieve only minimal results.

In four cities, the League of Women Voters was mentioned as being particularly effective in working on behalf of ending the dual school system. The **Mobile, Alabama,** LWV was a strong supporter of the desegregation plan there and worked

with a black community organization on a "Make It Work" campaign. The Mobile LWV also sponsored a bi-racial workshop under the same title. The **Baton Rouge, Louisiana,** LWV made a study of the extent of desegregation and presented the school board with their report, which indicated that the board had failed to carry through its own desegregation plan. The study also pointed out that future school construction sites would entrench segregation. In **Austin, Texas,** the LWV passed a resolution supporting racially balanced schools and the use of busing if necessary. In January, 1971, the Austin LWV submitted testimony to the United States Senate Select Committee on Equal Educational Opportunity in which it indicted the school administration for its lack of commitment to equal educational opportunity. Later, the League prepared a question-and-answer sheet on desegregation which was published in the local newspaper. The **Atlanta, Georgia,** LWV was among a number of groups which issued a statement in May, 1971, urging the school board to use whatever methods necessary, including busing, to desegregate the school system. Earlier, the League had been instrumental in forming groups to support an anticipated busing order which failed to materialize.

The news media in several cities were also mentioned as being particularly positive in asserting the desegregation process. Among the newspapers mentioned was the *Arkansas Gazette* in **Little Rock, Arkansas,** which has been supportive of desegregation efforts for more than a decade.

The **Florence, South Carolina,** *Morning News* provided excellent coverage of school programs and curriculum innovations and featured several level-headed articles from the viewpoint of drivers, students, and school officials on how busing was actually working in the district. The *St. Petersburg Times* consistently featured editorials which were very positive in supporting the district's desegregation efforts. At its own expense the paper printed a comprehensive and lengthy, but easy to understand, special section called "Pinellas School Zone Guide." One of the appointees to the district's bi-racial committee characterized the *Times* as "fabulous." *The Charlotte Observer* has also provided leadership in covering that district's tortuous route through the courts, in treating the district's problems and potential in a balanced and thorough manner, and in calling for the district to fulfill its constitutional obligations.

Our monitors also identified a number of citizen's organizations which have actively supported desegregation and good education. In **Nashville, Tennessee,** the Concerned Citizens for Improved Schools has been the strongest supporter of desegregation in the school district. The bi-racial group has done research on problems of desegregation, submitted a conceptual desegregation plan to the U. S. District Court for its consideration, and continues to speak out in support of desegregation. CCIS now has an Emergency School Assistance Program grant and is working with students in the schools.

Better Schools - Atlanta has worked for desegregation in **Atlanta,** as has the ACT Educational Program in **Mobile, Alabama.** ACT has also operated with

an ESAP grant and worked with the Mobile League of Women Voters in desegregation efforts. In **Jackson, Mississippi,** the Community Coalition for Public Schools and Jacksonians for Public Education played constructive roles in working to finally make the schools in that city unitary. Groups active in **Austin, Texas,** included the Concerned Parents, primarily a Chicano group, and the Tri-Ethnic Community Council. In **West Memphis, Arkansas,** a group made up primarily of white parents from a low-income community formed the Concerned Parents Organization in opposition to a desegregation plan that established gerrymandered zones adversely affecting their children. The zones were such that the poorer white children were more likely to be transported to schools far from their homes than the more affluent white children who were assigned close to their homes and to schools with a higher white majority. The CPO asked for more busing and a 50-50 racial ratio in each school.

The **St. Petersburg, Florida,** Chamber of Commerce's Community Alliance Committee was involved in commenting on the staff-developed desegregation plans there before they were submitted to the school board. Also, in **Jackson, Mississippi,** the Chamber organized the Jackson Education Task Force to support the desegregation plan and provide assistance in mobilizing community leaders behind the efforts of the school system. The **Greensboro, North Carolina,** Chamber organized a similar group called Concerned Citizens for Schools. Chamber of Commerce organizations in other cities such as **Little Rock, Arkansas; Columbia, South Carolina; Nashville, Tennessee,** and elsewhere made various statements endorsing the desegregation plans of the respective cities, supporting public education, or merely calling for "calm." Few Chambers, however, took the kind of initiative found in Greensboro and Jackson.

Other established organizations have been consistently active in behalf of desegregation in several cities. The **Knoxville, Tennessee,** Area Urban League has been supportive of desegregation litigation and has conducted a survey of black residents on their attitudes toward desegregation. The **Memphis, Tennessee,** Branch of the NAACP has been the main proponent of school desegregation in that city. The NAACP Executive Secretary and two members of the NAACP Executive Board are now on the Memphis school board. The **Pritchard, Alabama,** NAACP has also worked with other organizations in Mobile County to promote desegregation progress.

III

DISTRICTS THAT *GREEN, ALEXANDER,* AND *SWANN* FORGOT

Our monitors reported on three districts where no desegregation activity has occurred for the past three to five years because of lack of initiatives taken by federal or private civil rights agencies. These districts are not merely delinquent in adhering to Constitutional standards outlined by the U. S. Supreme Court in recent years; they are also in blatant violation of the mandates set forth in the *Green, Alexander,* and *Swann* decisions. In each case it appears the delay by the respective school districts in meeting their obligations has contributed to resegregation, racial impaction, and hardened attitudes which will make any future desegregation difficult.

BEAUMONT, TEXAS

Located in eastern Texas, the city of Beaumont has a population of about 117,000. Two school systems in the city, Beaumont Independent School District and South Park Independent School District, operate under separate desegregation plans. A total of 14,326 pupils are enrolled in the Beaumont ISD of which 52.3 percent are white, 45.3 percent are black, and 2.4 percent are Chicano. With practically the same ratio, the South Park ISD is operating under a court-ordered desegregation plan and appears to be complying with its modest requirements for zoning and faculty desegregation.

At a time when many school officials admit that freedom of choice is no longer an acceptable method for desegregating public schools, the Beaumont Independent School District has been unchallenged in its continued use of this approach which *Green* permitted only if it "promises realistically to work." It isn't working in Beaumont.

Seven years of freedom of choice has produced a system of quasi-desegregation within which 68 percent of the black students in the district are still attending segregated, all-black schools. Beaumont maintains eight of its 23 schools as totally segregated institutions for blacks, while six other schools have student enrollments which are 90-93 percent white. Sixty-four percent of all white students in the district attend these six schools.

In addition to failing to comply with *Green* and subsequent Supreme Court decisions, Beaumont has made no effort to adhere to the standards for faculty desegregation set down in *Singleton*. With a faculty ratio in the system of 34 percent black, 66 percent white, 73 percent of the black faculty members are assigned to all-black schools. All but one of the seven black principals and four assistant principals are assigned to 100 percent black schools. Five schools have faculty ratios of 90-96 percent white; five schools have faculty ratios of 80-89 percent white, and five schools have 80-89 percent black ratios. The three black staff members in the district's central office deal chiefly with poor and black children.

Beaumont's failure to comply with clearly enunciated constitutional standards has, in effect, been sanctioned by the inaction of both HEW's Office For Civil Rights and the Justice Department. Both agencies appear to be immobilized by jurisdictional questions which have been given little priority and which are unresolved even today.

In 1964, the U. S. District Court for the Eastern District of Texas, in *Brown v. Hendrix,* declared Beaumont's policy of enforced school segregation unconstitutional. The court approved the district's grade-a-year free choice plan which took effect at the beginning of the 1965-66 school year; in December, the board voluntarily expanded the court-ordered plan to an immediate twelve-year free choice plan. After an on-site review in August, 1965, HEW accepted the Beaumont plan. Some time in 1966, the court reportedly dismissed its case against the school district. But our monitor was told that the court still maintains jurisdiction in Beaumont and has reportedly suggested to the school board that it take steps to further integrate the schools "before the federal government forces you to do so."

In May, 1969, a private citizen of Beaumont filed a complaint with HEW charging that "the majority of the Negro Community and its complex of civic organizations are thoroughly in disaccord with the lethargy and disconcern of the Beaumont Independent School District relative to desegregation of our schools under the 'Freedom of Choice' plan." The HEW Office For Civil Rights forwarded the letter to the Justice Department on grounds that the district was currently operating under a federal court order. There is no evidence of action on the complaint.

When in 1970 the Justice Department moved against the remaining recalcitrant school districts in Texas (including South Park), it again failed to take action against the Beaumont ISD. The department explained that it was not an original

party to the suit and could not enter it unless requested to do so by the plaintiffs (all of whom had left Beaumont by this time).

In the summer of 1971, it came to the attention of the Office For Civil Rights that Beaumont was still operating under a freedom of choice plan, and an effort was made to determine jurisdiction. The Justice Department reportedly contended that it could not enter under Title IX with a "friend-of-the-court" brief, and that it did not have a Title IV complaint (in spite of the aforementioned citizen's complaint). Recommendations were made within HEW that the Office For Civil Rights conduct a compliance review and request a plan for desegregation in Beaumont for the 1971-72 school year. Apparently, nothing was done. Freedom of choice continues to prevail in Beaumont.

Meanwhile, Beaumont school officials quietly maintain a "don't rock the boat" posture, fearful, on the one hand, their unusual system will be discovered, but conscious, on the other, of the need to make some preparation for the day when they will be required to move toward a truly unitary system. Afraid their use of freedom of choice would be uncovered, the district did not even apply for Emergency School Assistance Program funds. In anticipation of eventually having to meet *Singleton* requirements, this year the district placed 84 percent of the newly employed black teachers in schools with majority white faculties. School officials have failed to make needed renovations in the black schools because, the black community suspects, they are aware some of these schools will have to be closed when more significant desegregation comes to the district.

"Separate and unequal" is very much a part of Beaumont's dual system. The all-black high school, Charlton-Pollard, was built more than 40 years ago for 500 students. Now it holds 1,100. Students tell stories of rats in the auditorium and roaches in the food in the cafeteria. The auditorium is too small for all of the student body to gather at one time; the heating system is antiquated; the plumbing is inadequate.

Charlton-Pollard has an outstanding football team (Beaumont is reputed to have produced more professional football players than any other city in the nation), and the bulk of the revenue for the district's athletic fund comes from black athletic events. But Charlton-Pollard has no athletic field of its own and must use the one at Beaumont High. When a $350,000 field house was constructed at the 90 percent white French High School last year, Charlton-Pollard got a temporary "tin" building as a coaches' room.

Other black schools are plagued by inconvenience and safety hazards which the black community feels would not be tolerated at schools where whites are enrolled. Carver Elementary, the old Charlton-Pollard school 40 years ago, is located near the oil refineries which, ironically, pay property taxes to the South Park school district. Whenever the refineries burn off excess gas or there is the threat of an explosion, students have to be sent home. Even the newest black school,

Bethune Elementary, occupies land surrounded on three sides by a river with nothing but a low fence separating the children from the water. During warm months, the mosquitoes are so bad the Bethune children are not allowed outside during recess.

The black community is also concerned that Charlton-Pollard is being downgraded academically. Better black teachers are being transferred from the black school to majority white schools. Only a narrow college preparatory curriculum is offered at Charlton-Pollard, and it appears to the community that this school is being changed to one where vocational training is the priority. Even so, materials in the shop are scarce; the home economics department is poorly equipped, and the biology laboratory has inadequate resources. The school has no equipment for an orchestra, though there are orchestras not only in the white high schools but in the lower schools as well. Our monitor received reports that students in black schools receive textbooks handed down from the majority white schools.

In spite of the educational deficiencies of the black schools, they are institutions in which the black community takes great pride. The black community has seen some of its students choose to transfer to majority white schools only to face the task of winning acceptance and "proving" themselves to the white majority (black student council members and cheerleaders are present at Beaumont High for the first time this year and only in the freshman and sophomore classes). Obviously, an all-black school poses no such problems. Some parents are inclined to feel there is less reason to wonder whether their children will be treated decently by the teachers at Charlton-Pollard and the other black schools than if they were in a majority white school. They feel at least that the Charlton-Pollard teachers are likely to be more sympathetic and understanding of the needs of black students who might otherwise be overlooked or "pushed-out" in a majority white school.

The black community's pride in these schools exists not only because of Charlton-Pollard's athletic prowess or because they have produced whatever models for success exist in the black community, but also because the students there have achieved a high degree of solidarity and influence in recent years. In 1969, students organized and effectively sustained a total boycott of Charlton-Pollard to protest the arbitrary refusal to renew the contracts of two popular black male teachers. The four-day boycott united the black community and ultimately resulted in new contracts for both teachers.

Since that time, students have held a sit-in in the cafeteria to protest the quality of the food and service and treatment of free-lunch recipients. This resulted in the transfer of the cafeteria manager and changes in procedures for free-lunch. Other problems remain, however. Currently the students are campaigning for a black cultural center. The students' maturity and responsibility, not to mention the effectiveness of their activities, have earned them considerable respect from

the black and white communities. The black community recognizes that these students have achieved a certain degree of power and recognition as agents of change; such status in a black school obviously compares unfavorably with speculations on how such demonstrations of power would be received in a majority white institution.

Beaumont's delay in meeting its constitutional obligations has helped to create a climate in which total desegregation will be made more difficult when it comes. The black community of Beaumont did not ask for segregated institutions, and black people obviously are unhappy with the inferior education and many of the conditions which now exist in their schools. But it is clear the black community is now reluctant to enter enthusiastically into a new structure for the school system which may result in the destruction of symbols of community pride and the dilution of student power. The black community has learned through experience and observation where the burden for desegregation usually falls; the actions of "their" school board have given them little reason to believe things will be different in Beaumont.

CHARLESTON, SOUTH CAROLINA

Two words characterize the school system of Charleston, South Carolina: confusion and segregation.

Charleston is on a peninsula bounded by the Ashley and Cooper Rivers; it includes an area only about four miles long and two miles wide. It was in Charleston that school desegregation began in South Carolina.

In 1962, 13 plaintiffs filed suit against the school district with the assistance of attorneys affiliated with the NAACP Legal Defense Fund. That suit resulted in a U. S. District Court order which granted freedom of choice to the 13 plaintiffs only. The order was later broadened to include free choice for all students. Charleston continued to use a freedom of choice desegregation plan until 1969.

Desegregation in Charleston County began to get complicated in 1968 when the eight school districts in the county, including the Charleston city district, were consolidated under one school board and one superintendent. The consolidated school board was composed of one member residing in each of the former districts, but each member was elected by the county at large. Nevertheless, the eight former districts, now known as "constituent districts," kept their school boards (four with elected school boards, four with boards appointed by the county's state legislative delegation), and these boards retained the authority to assign students, to hire, assign, and dismiss teachers, and to draw bus routes. In other words, financial and some administrative consolidation was accomplished at the county level, but the constituent districts retained many of their traditional powers.

Subsequent litigation developed as follows:

Summer, 1968 — LDF attorneys filed a motion for further relief to achieve greater desegregation in the Charleston city district. In September, U. S. District Judge Robert Martin ordered the district to file a new desegregation plan for 1969-70. In December, the school board submitted a response calling for freedom of choice.

Winter, 1969 — LDF attorneys filed a motion to join the other constituent districts in the county as defendants in the Charleston city suit.

Spring, 1969 — U. S. District Judge Robert Martin ordered the Charleston city district to work with the HEW Title IV office in developing a new desegregation plan.

Late spring, 1969 — Attorneys for the Charleston city district advised LDF attorneys that a new plan had been developed and was being submitted to the court. Though board attorneys apparently informed the chief plaintiff's attorney that the plan was available for his inspection, the LDF lawyers maintain they were unaware of the development of a new plan.

July, 1969 — Judge Martin granted the motion to make the consolidated school board a party to the suit. It appears however, that this did not necessarily mean that the constituent districts would be made defendants in the suit. Apparently, the county board was involved because under the new consolidation arrangement the city district alone would not have had the authority to implement any new desegregation plan. (On August 5, 1969, Judge Martin wrote a letter to one of the plaintiffs' attorneys clarifying his July ruling and stating, in effect, that a new suit would have to be brought against the other seven constituent districts in order to consolidate their desegregation plans.)

Late July, 1969 — Either because of oversight or because they did not know the Charleston city plan had been submitted to the court, the LDF attorneys failed to file their objections to the plan within the standard ten-day period. Accordingly, Judge Martin ordered the new plan to be implemented noting that the "plaintiffs herein make no contention that the said agreed plan does not meet constitutional standards." The Charleston city system is still operating under this order.

August, 1969 — Plaintiffs' attorneys filed their response and objections to all eight desegregation plans in the Charleston County districts, including the just-approved plan for the city of Charleston. Objections to the city plan included the facts that it allowed free choice assignment of teachers, that 87 percent of the black students remained in all-black schools, and that whites would continue to defect to surrounding districts unless a county-wide plan were established. Judge Martin indicated he would accept all the HEW-approved desegregation plans of the seven constituent districts. Because of the inability to finance

further litigation and because of the press of time and work on LDF attorneys, no further legal action was initiated in Charleston, and Judge Martin's order was not appealed.

The constituent districts in Charleston County, other than the city district, continue to operate under HEW's jurisdiction. Though the Cooper River constituent district has an overall enrollment that is 71 percent white, and 29 percent black, nine of its 25 schools have enrollments that are more than 93 percent white. One school is 99 percent black and another is 91 percent black. In the Johns Island district where the enrollment is 67 percent black, 33 percent white, one school is 90 percent black and another is 99 percent black. The Moultrie district has five schools with a total enrollment that is 57 percent white and 43 percent black, but it has one school that is 96 percent black, and another that is 98 percent white. The St. Andrews district has an enrollment that is 82 percent white and 18 percent black, and one school is 93 percent white. There are reports of segregated or racially imbalanced classes in many of the constituent districts, and it is doubtful that the districts are adhering to *Singleton* standards in the assignment of teachers. Citing certain "pressures," HEW sources report they have taken no post-*Swann* action in the constituent districts. Apparently HEW has not conducted on-site compliance reviews in the constituent districts for some time.

The Charleston city district is now virtually an all-black system. Whites have been deserting the peninsula city for the suburbs since desegregation began, with most of them fleeing to the North Charleston or the St. Andrews areas. Nineteen private segregation academies in the county have a total enrollment of nearly 4,000 students. Half of the school-age children in the county attend desegregated parochial schools.

With only one exception, no public school in the city has less than an 80 percent black enrollment. The exception is Charleston High, approved by the court as a "college preparatory" school but regarded by blacks as a haven for white teachers and administrators. Five of the district's ten elementary schools are all-black, while three others have only five whites enrolled in each. The remaining two schools have 67 whites and 52 whites respectively. Three high schools are all or virtually all black. Charleston High is the only fully desegregated school, with a 50-50 ratio of whites and blacks, but the faculty is all-white. Charleston city schools do not meet the *Singleton* standard.

School officials are quick to cite the obstacles to greater desegregation in Charleston. The county is nearly one hundred miles long, and the outlying districts are sparsely populated. To bus students between the Moultrie District and the city of Charleston, it would be necessary to cross the two-and-a-half mile-long Cooper River Bridge. To pair schools between the Cooper River District (North Charleston) and the city, officials say it would be necessary to use the main traffic artery, Interstate 26, and school buses can't operate on interstate highways. Actually,

several surface streets run between the districts. For students to be transported between the St. Andrews District and the city, a single bridge across the Ashley River would have to be used. These geographical problems would obviously make desegregation difficult, but there is no indication they would make it impossible.

In the meantime, the feeling exists among Charleston blacks that desegregation has accomplished little for black students in the other constituent districts in Charleston Ccunty. They have observed that black students in desegregated schools have been subjected to discriminatory or arbitrary treatment, or that no attempt is made to make them feel comfortable in a setting in which they are in the minority. Black students told our monitor of the following problems they have encountered in constituent district schools. Though there was not time to verify all of these allegations, they are important because black students and the black community believe them to be true:

—At Fort Johnson High School (25 percent black) in the James Island District no blacks are student council officers. Students say that for the past two years, teachers have claimed there was a tie between black and white candidates for student council officers, and a runoff was held. The teachers and principals, all white, counted the ballots and did not tell the students the exact number of votes cast for each candidate. Only the white students won. Only one black student is a varsity cheerleader. An Interracial Council exists, with a black and a white student from each class, but it is inactive. Though black students are involved in school clubs, they are left out of parties held in the homes of students and teachers.

—At St. Andrews High School, black students are outnumbered 1,260 to 130. Only one black representative is among the 40 members of the student council. There are no black cheerleaders. Two black students are on the varsity football team. Black band members have refused to play "Dixie," and other black students have complained of the use of the Confederate flag.

They have also complained of the lack of a black guidance counselor. When 42 black students recently sat in at the principal's office to protest their grievances, they were suspended.

One student said about the protest, "We're so vastly outnumbered here at St. Andrews that we had to do something. And you know something? What gets us is that not one black leader, not even the one serving on the county school board, has bothered to look into the situation over here. It's really something."

—At Moultrie High School (38 percent black) the student body officers are all white. During the election, two black and two white students were in a runoff. The principal then claimed the voting had been "too close" (though the students had not been told a plurality vote would not be sufficient).

He said that the top white and the top black had to compete in another runoff. He would not say which candidate had received the plurality of votes. Subsequently, the black candidate lost.

After some protest in the fall of 1971 by black students, a bi-racial committee was formed. The black members were selected by the black students, and the white members were appointed by the assistant principal. Though the blacks did not feel the whites were sympathetic to their grievances, the committee eventually did recommend there be a fifty-fifty representation in school activities. Even though this recommendation was altered by a teachers' committee to require proportionate representation instead, the principal and the school board failed until spring to act on the recommendation.

There are still no black cheerleaders. A former student body co-president, now a senior, was supposed to be the art editor of the school annual, but was dropped from that position after he led a student protest against the exclusion of blacks from activities. Black students are barred from participating in sports if, in the view of the all-white coaching staff, they "have the wrong attitude" or "hang around with the wrong group."

—At North Charleston High (24 percent black) the student body officers are all white. The cheerleaders are all white. There are no black majorettes even though the band is fairly well desegregated. When a black student who had won all-state and other band honors tried out for the position of drum major last year, the band director selected instead a white student who had received no such honors and who had not even tried out for the position. The Afro-American Club, started after blacks staged a walkout, has one white member.

The glee club is the only other activity that is fairly well desegregated. The lack of representation of blacks at North Charleston seems partly due to their not feeling wanted in extracurricular activities; some who were chosen to participate later dropped out for this reason.

There are also reports of successful experiences by black students at other schools, but obviously the good news does not travel as quickly as the bad. In schools where there is little positive communication between black students and the administration and teachers, it is not surprising that problems of concern to the students continue to go unresolved. The black community of Charleston has learned from these experiences as it has viewed the consequences of desegregation in these neighboring constituent districts.

While the number of suspensions and expulsions outside the city district are unknown, attorneys with Neighborhood Legal Services in Charleston report they believe the disciplinary actions against black students to be high. One attorney speculated that if more desegregation occurred in the county, as many as one thousand fewer black students would graduate. Besides those expelled or suspended,

many other black students are "pushed out" by the insensitivity and nonresponsive attitudes of white administrators and teachers.

Perhaps the impressions of our monitor best express the reasons for the problems which frequently result in disciplinary action or "push-outs": "Some black adults declare that the white schools into which blacks have moved really haven't changed that much—that they were always prisons and that whites long ago adjusted to the regimentation. Black kids just haven't been able to get used to not talking in the halls, taking off their hats in the classrooms, watching their language, and being subservient to the white teacher who demands that they say 'yes, ma'am.' "

In the opinion of our monitor, when these students break the rules they are usually treated with a minimum of understanding. The students become more resentful, and then they are likely to break more rules. Black students who make it known through protests or publication of their grievances that they don't like discriminatory treatment are simply branded as "trouble makers," and are subject to even more arbitrary treatment and exclusion from participation in all aspects of school life.

It is little wonder then that many black citizens of Charleston feel they have little to gain from desegregation. At least in the remaining black schools their children are free to participate in school activities to the maximum degree and to thereby take advantage of opportunities to develop leadership potential. At least black teachers and counselors make an effort to keep black children in school, so that they may graduate instead of being "pushed out."

At least one black community leader advocates black community control of Charleston's schools. But at present there is little evidence of even significiant black influence. Though there are three blacks on the Charleston constituent school board, the board has met only four times within the past year, and then only at the beckoning of the white superintendent who really controls the system. The black representative of the city district who serves on the county board is frequently absent from that body, and has little influence on it. Though all-black Burke High School is severely over-crowded, school officials were unwilling to alter its attendance area until students staged a successful boycott this March.

The well-informed and concerned district-wide PTA council has made numerous requests to the school board, but in most cases they have been politely heard and then ignored. The financial authority for the school district lies with the county board of education, and one teacher observed that the district "does not have one single program directed at black urban youth."

Blacks in Charleston feel that to be left alone is an asset at a time when black students in neighboring districts are encountering desegregated school systems where there is little positive educational leadership, and where they are met with insensitivity and hostility. Black citizens approached by our monitor were quick

to explain that they had no problems in the Charleston city district "because we aren't desegregated." One black guidance counselor added that the district has "the usual problems of a black ghetto school district."

NEW ORLEANS, LOUISIANA

The Orleans Parish school system has an enrollment of 107,742 students of which 71.8 percent are black and 28.2 percent are white. Since 1959, the white enrollment has decreased by about 10,000 students while the black enrollment has increased by 20,000 students. The decrease in white enrollment is due at least in part to the close proximity of two school districts which have substantially higher white enrollments than does Orleans Parish. St. Bernard Parish, with a black student enrollment of only one to two percent, is contiguous to Orleans, as is Jefferson Parish with a 20.2 percent black enrollment. Orleans Parish includes almost all of the city of New Orleans and some areas to the north and west of it. St. Bernard and Jefferson Parishes are primarily suburban.

The Orleans Parish school system was an early subject of school desegregation. But the lack of legal initatives over the past five years has lulled it into the comfortable acceptance of schools which are still highly segregated. Apparently, few members of the black community are aware of the status of desegregation litigation in their school system. Because they send their children to physically and educationally inferior schools, however, they are—or should be—aware that "separate and unequal" is very much a part of New Orleans schools.

Black citizens of New Orleans first petitioned the Orleans Parish School Board to end racial discrimination in the public schools in the fall of 1951. When the board turned down the petition, a desegregation suit, *Bush v. Orleans Parish School Board,* was filed in 1952, with the assistance of attorneys affiliated with the NAACP Legal Defense Fund. Due to delays, legal stratagems by the defendants, appeals, and the concept of "deliberate speed," it was not until the fall of 1960 that token public school desegregation began in New Orleans. Four black students initiated desegregation that year; twelve were enrolled in 1961, and 107 entered previously all-white schools in 1962. The last order in the *Bush* case was filed on Oct. 12, 1967, as a result of plaintiffs having moved for further relief pursuant to the decision in *United States v. Jefferson County Board of Education.* No motions have been filed subsequent to the *Green, Alexander,* or *Swann* decisions.

The Orleans Parish desegregation plan utilizes what one local attorney refers to as "zoned freedom of choice." While the 1967 order assigned students in all grades pursuant to a single system of non-racial attendance zones (also known as the "neighborhood school concept"), exceptions to these assignments are permitted through a system of "permits" and residence affidavits that allow a student to transfer from his zone with little difficulty.

The effect of the plan is as follows: For the 1971-1972 year, out of 96 elementary schools, 30 are 100 percent black, ten are 99 to 99.9 percent black, nine are 90 to 98 percent black, and three are 85 to 89 percent black; two schools are 100 percent white, and twelve are 90 to 99 percent white. At the junior high school level, out of 23 schools, five are 100 percent black, four are 99 to 99.9 percent black, and two are 90 to 98 percent black, while two schools are 81 to 87 percent white. The only junior-senior high school in the system is 100 percent black. Out of fifteen high schools, three are 100 percent black, two are 99 percent black, and one is 90 to 98 percent black, while one school is 90 to 98 percent white, and two are 75 to 89 percent white.

So—of the 135 schools in the system, excluding special schools, 41 are one-race schools, and 42 are overwhelmingly (90 to 99.9 percent) of one race.

With little question, the Orleans Parish system of neighborhood schools plus the permit and residence affidavit policies make possible this degree of racial segregation. In a conversation with LeRoy Harper, executive assistant to the superintendent and the person responsible for the permits, our monitor found that the school system grants between 7,000 and 8,000 permits each year. While the permits offer a kind of freedom of choice to black students which enable them to transfer to schools with a higher white percentage, they also enable white students to transfer out of schools in which their race is in the minority. During the first half of this school year, the school system granted 3,300 permits, evenly divided between white and black students. Mr. Harper acknowledged that 90 percent of the time, race is the reason for asking for a permit.

The permit policy, however, does not enable black students to transfer with complete freedom. The only significant restriction on whites seeking transfer permits is that permits should not be issued to whites in "precariously racially balanced schools." *But the permit policy provides that no black student may transfer to a formerly white school which has a black enrollment in excess of 30 percent.* Black students have a priority if they wish to transfer to an all-white school or one with less than 10 percent black enrollment.

Another provision allows parents to submit a residence affidavit to the school district office indicating that their child does not live at home and naming the person with whom he is staying. The school board then sends out a visiting teacher to check on these facts. The system grants 1,200 to 1,400 residence affidavits each year, and school officials believe this policy is greatly abused. Obviously, many of the affidavits are either false or the child moves back in with his family after the facts of the affidavit have been checked. This process, then, allows many students to attend schools outside their zone while their families continue to reside in that zone.

In February, 1970, the Orleans Parish School Board voluntarily adopted a faculty desegregation plan that sought to "assure that not less than 25 percent

nor more than 75 percent of the staff in each school will be of either race." Since Orleans Parish does not comply with *Singleton* requirements (the faculty of the district is 44 percent white and 56 percent black), it appears the intent of this policy was to achieve some faculty desegregation within the framework of a district that has a high number of one-race schools. Apparently, the school board reasoned there would be less problems with faculty desegregation and fewer faculty-student problems if the plan allowed an all-black school to have a faculty as high as 75 percent black, or an all-white school to have a faculty as high as 75 percent white.

If the school system is strictly judged by its own 25-75 percent formula, its faculty desegregation plan has succeeded in only 64 of its 135 schools. The most dramatic failures of the system to reach a minority faculty percentage of at least 25 percent are found in those schools (18 elementary, five secondary) which have black enrollments between 99 and 100 percent, and only seven to 15 percent of the faculty white.

The system also fell short of its goal in 24 other schools (16 elementary, eight secondary) which have black enrollments between 96 and 100 percent and only 16 to 24 percent of the faculty white. In five schools where the enrollment is between 91 and 99 percent white, only 13 to 24 percent of the faculty is black.

Though the board's plan allows for both voluntary and administrative transfers, it appears it has not been able to comply with its own plan, let alone with *Singleton* requirements. One top administrator in the district office told our monitor he didn't think Orleans Parish was quite ready for *Singleton*.

Where white teachers are found in predominantly black schools, they are, for the most part, young, inexperienced and unable to cope with and respond to black students. Some administrators, like Duncan Waters, superintendent of an overwhelmingly black district, feel that the district personnel office has sent the better black teachers to predominantly white schools in implementing the teacher desegregation plan.

The Orleans Parish School Board is also engaged in a construction program which will tend to maximize rather than minimize segregation in the schools. School officials maintain they have neighborhood schools and build schools where the children who will attend them live. Because Louisiana law does not permit state payment for the busing of children who live one mile or less from a school, the Orleans Parish schools will be built within three-fourths of a mile of the population to be served. Two high schools, each with a capacity of about 1,500 students, are under construction. One will replace the 99.8 percent black Cohen High School. The new school is also expected to be black, although many whites live in the district. The other is being built to replace all-black McDonogh #35. McDonogh #35, a school designed to serve the academically talented, could

be easily desegregated by merging it with 95 percent white Ben Franklin, a school which also serves the academically talented. Franklin's enrollment is now beyond capacity.

The district has several more new schools planned: an elementary school in an integrated area, an elementary school which will be built in a white suburban area, a black elementary school to replace McDonogh #37 and Wicher, which are now all black; and another integrated elementary school. Thus, the Orleans Parish School Board seems content to pursue its construction program with little regard for the *Swann* dictum that, "In ascertaining the existence of legally imposed school segregation, the existence of a pattern of school construction and abandonment is thus a factor of great weight. In devising remedies where legally imposed segregation has been established, it is the responsibility of local authorities and district courts to see to it that future school construction and abandonment is not used and does not serve to perpetuate or reestablish the dual system."

It appears that New Orleans is not only segregated, it intends to stay that way. Perhaps only the action of the Orleans Parish black community or the outcome of the Richmond, Virginia, metro desegregation case will change that.

IV

OBSOLETE AND INADEQUATE DESEGREGATION PLANS

A widespread belief exists that most school systems in the South are now unitary and in full compliance with the standards promulgated by the U. S. Supreme Court in *Swann*. Our monitors found, however, that in a number of major urban areas, there is little or no reason for such optimism.

Of the urban districts surveyed, many were found to be operating under court orders which have not been updated since the *Swann* decision, or operating under post-*Swann* plans where racially isolated schools still exist. Though *Swann* stated that "the existence of some small number of one-race, or virtually one-race, schools within a district is not in and of itself the mark of a system which still practices segregation by law," our monitors reported that some districts retain such schools even though more complete segregation could have been achieved.

This report recognizes that the elimination of dual school systems is not always easy. But it appears that in many cases school districts have moved toward that goal only when required to do so by the courts. In the absence of court orders or new legal initiatives, many have done nothing. Even when taken back into court, many of these districts submitted desegregation plans which the court found to be totally inadequate. Thus, 18 years after *Brown*, some school authorities are still reluctant to adhere to constitutional standards of equal protection.

The following districts are those which our monitors judged to have inadequate or obsolete desegregation plans in the 1971-72 school year:[1]

BIRMINGHAM, ALABAMA

The Birmingham city school system is currently operating its desegregation plans under an order handed down by a U. S. District Court on June 19, 1970. The plan, developed by the school board in conjunction with HEW, was approved as a terminal plan by the court. There has been no post-*Swann* action by the plaintiffs' attorneys who are associated with the NAACP Legal Defense Fund.

The total student enrollment of the Birmingham district is 66,174, of which 53 percent are black and 47 percent are white. The school board admits the desegregation plan was not intended to desegregate schools but to desegregate zones. Our monitor found that because of this zoning plan, the following prevails in Birmingham:

Out of 89 schools in the Birmingham city system,

18 are 100 percent black; 13 are 100 percent white.

14 are between 90 and 99 percent black; six are between 90 and 99 percent white.

Five are between 80 and 90 percent black; six are between 80 and 90 percent white.

Superintendent Raymond L. Christian told our monitor he still believes in freedom of choice, and maintained that racial balance is not a realistic or practical goal. The superintendent also indicated that his district will continue to build schools where the students are. Indeed, our monitor found that for the current school year, the district opened two all-white schools, Arthur Elementary and Wright Elementary, and that a new high school now under construction, Parker High, will be all black.

Busing is not a factor in Birmingham since the district operates no school buses, and does not provide any other form of transportation for its students.

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[1] *Our monitors singled out two districts which they did not feel belong in this section but which should be mentioned as school systems which have as many or more remaining racially identifiable schools as other districts cited here. The* **Mobile, Alabama,** *school district was one of the cases decided by the Supreme Court at the same time as* Swann. *The district subsequently developed a post-*Swann *plan which was accepted by the plaintiffs' LDF attorneys. Of the district's eighty-one schools, five remain all-black, one is all-white, twelve have enrollments between 90 and 99 percent black, and three are between 90 and 99 percent white. The* **Columbia, South Carolina,** *district is operating under a voluntary post-*Swann *plan accepted by HEW. Of the district's fifty-six schools, three are all-black, four are between 90 and 99 percent black, and one is 81 percent black. No schools in the system are racially identifiable as white.*

Students must use the Birmingham Transit System for transportation to school, and must pay for this. Our monitor found that the lack of a free transportation system is a considerable economic hardship for black students.

The *Singleton* ratio is maintained in most schools, but in some black schools, too many black teachers have been retained.

HUNTSVILLE, ALABAMA

Huntsville is utilizing what is basically an HEW-prepared desegregation plan ordered by a U. S. District Court on July 26, 1971. The plan was appealed to the Fifth Circuit Court of Appeals by the LDF cooperating attorney, but the court declined to grant the appeal. No new motions have been filed.

The Huntsville school district has a student enrollment of 35,511 of which 85 percent are white, and 15 percent are black. With 39 schools in the system, four have black enrollments substantially above the percentage of black students enrolled in the district as a whole: 92 percent, 66 percent, 48 percent, 41 percent. Three of these schools and two others have black faculties which exceed the district-wide percentage by 10 percent or more.

JEFFERSON COUNTY, ALABAMA

Jefferson County is an extensive geographical area which surrounds the city of Birmingham and constitutes a separate school district. Within this area, however, are also seven "splinter" districts which operate independently of the Jefferson County system. Three of these districts have student enrollments that are 90 percent or more white, and each district has only four or five schools for a student population of less than 3,000. The three districts, Vestavia, Homewood and Midfield, withdrew from the Jefferson County district in 1969, 1970, and 1971, respectively, taking with them school facilities which had belonged to Jefferson County. A 1959 act of the Alabama Legislature permitted the creation of such independent districts.

Four of the five members of the Jefferson County school board as well as its superintendent, Dr. Revis J. Hall, live in these splinter districts, outside the school district for which they are administratively and legally responsible.

A U. S. District Court ordered a desegregation plan for the Jefferson County district in the summer of 1971. Our monitor found that plan to be the result of a frenzied and confusing process in which HEW, Justice Department, school board, and Legal Defense Fund attorneys each submitted and fought for the adoption of their respective plans. As a result, on Aug. 24, 1971, Judge Sam C. Pointer issued an order which outlined a number of desegregation options within *each zone* which the Jefferson County school board could implement. That order was amended on Sept. 8, 1971, in response to the Jefferson County

school board's request that it be permitted to use still other options. No hearing was held.

Jefferson County school authorities have failed to file reports on the implementation of their desegregation plan with the court as required. This made it impossible for our monitor to determine which desegregation options for which zones have been implemented by the school board. There is some indication that the options which were selected by the board were not in the original court order.

Judge Pointer's original order failed to provide for any non-contiguous zones, and it called for the achievement of a 75 percent white, 25 percent black racial balance in each school at the end of a two-year period. The order also included the splinter districts of Homewood, Vestavia and Midfield, and provided that each school in the splinter districts should have a maximum enrollment of black students and minority teachers of 25 percent. The withdrawal of these districts from the Jefferson County system when the district was under a previous desegregation order to dismantle its dual school system is now on appeal to the Fifth Circuit. The appeal is based on the fact that the withdrawal of those separate districts affected the ability of Jefferson County to further desegregate the school system.

The Jefferson County school system has an enrollment of 56,332 students, of which 26 percent are black and 74 percent are white. A total of 6,611 students remain in all-black schools, and 8,764 remain in schools which are 85 percent or more black. Of the 20 zones created for desegregating the school system, two have a total of four schools which are one-race schools. Four other zones have a total of twelve schools with student enrollments of 93 to 100 percent of one race. Two other zones have a total of eleven schools with enrollments of 80 to 100 percent of one race in each.

Out of the 76 schools in the Jefferson County school district,

Seven are 100 percent black; seven are 100 percent white.

One is 99.7 percent black; nine are 99 to 99.9 percent white.

Three are 90 to 99 percent black; 15 are 90 to 99 percent white.

Four are 80 to 89 percent black; 13 are 80 to 89 percent white.

School officials maintain, of course, that these figures do not reflect the ultimate desegregation of the school system that will be realized at the end of the two-year period in Judge Pointer's order. The district is also required to adhere to the *Singleton* standard in desegregating its faculty, but as of now, it appears that a majority of black faculty is in the all black or predominantly black schools.

MONTGOMERY, ALABAMA

The Montgomery County Board of Education is operating its desegregation plan under a terminal order from the U. S. District Court dated Feb. 25, 1970.

No post-*Swann* action has been initiated by the plaintiffs or their Legal Defense Fund attorneys.

Montgomery operates a combination zoning—freedom of choice plan that was prepared by the school board in conjunction with HEW. The system has 37,604 students of which 46 percent are black and 54 percent are white. Our monitor found the following in Montgomery:

Out of the 50 schools in the system,

Six are 100 percent black.

Four are 99 percent black.

Eight are 90 to 99 percent black; three are 90 to 99 percent white.

Four are 80 to 90 percent black; seven are 80 to 90 percent white.

The district is also required to adhere to the *Singleton* standard in faculty desegregation. But our monitor found that in 17 schools, the black-white faculty ratio exceeds or falls short of the district-wide ratio by at least 10 percent.

The 1970 order also required the district to develop non-racial and objective criteria for the dismissal and demotion of staff. The district has failed to comply with this requirement. The assistant superintendent in charge of personnel for the district indicated to our monitor that the district has no plans for developing such criteria because "we consider these as unnecessary, and we think we get along better than systems which have a lot of stuff written down which is difficult to follow or apply."

SELMA, ALABAMA

One of the smaller systems monitored, Selma has a student population of 6,296, of which 72 percent are black and 25 percent are white. The school district is currently operating under a desegregation order entered by the U. S. District Court on June 16, 1970. There has been no post-*Swann* action by the LDF attorneys.

Out of the twelve schools in the Selma city system,

Three are 100 percent black.

One is 98.5 percent black; two are 93 to 96 percent white.

One is 88 percent black.

Eight of the twelve schools in the system reach or exceed a 10 percent deviation from the *Singleton* standard in the black-white faculty ratio. The Selma district also failed to submit a statement of non-racial objective criteria for faculty dismissal or demotion as required in the court order. It has also failed to report to the court demotions or dismissals that have taken place subsequent to the desegregation order.

LITTLE ROCK, ARKANSAS

The Little Rock schools are currently operating under a desegregation order of July 16, 1971, issued by the U. S. District Court. This order resulted from a post-*Swann* motion by LDF attorneys. The court's order substantially desegregated the secondary schools, but left the elementary schools virtually untouched. The Eighth Circuit Court of Appeals has ordered the movement toward complete desegregation increased. and the matter is now back before the district court.

Little Rock schools have an enrollment of 23,692 students of which 43 percent are black, and 57 percent are white.

Out of the 40 schools in the Little Rock city system,

Four are 100 percent black; one is 100 percent white.

Six are 95 to 99 percent black; seven are 91 to 99 percent white.

Four are 85 to 89 percent white.

All of the schools that are predominately one-race are elementary ones.

The black-white teacher ratio in Little Rock is 29 percent black, 71 percent white. But there are 16 schools that reach or exceed a 10 percent deviation from the *Singleton* standard.

WEST MEMPHIS, ARKANSAS

The West Memphis desegregation plan was ordered by a U. S. District Court in July, 1971, following hearings at which HEW experts and West Memphis school officials submitted different plans. Because West Memphis has a student enrollment that is 53 percent black and 47 percent white, and only 13 schools, the LDF attorneys felt it could easily have achieved racial balance in each school. The court, however, rejected the HEW plan that would have substantially achieved this end, and ordered instead a plan utilizing attendance zones that tended to place the burden for desegregation on low-income whites and blacks. The order also required that each school in the district have a minimum 30 percent minority race enrollment, whether the racial group in the minority at a particular school be white or black.

Each school does indeed have 30 percent minority enrollment. But in most of the elementary schools the racial group in the majority reflects the former racial identity of that particular school. The three formerly all-black elementary schools each have black student enrollments of between 63 and 70 percent. Schools that were formerly 99 percent, 98 percent, 96 percent and 84 percent white are now 53 percent, 57 percent and 61 percent and 62 percent white, respectively. The plaintiffs, now joined by white citizens who want every school in West Memphis

to reflect a 50-50 racial balance, have appealed the case to the Eighth Circuit Court of Appeals.

DUVAL COUNTY, FLORIDA (JACKSONVILLE)

The June 23, 1971, court order for Duval County provided that the desegregation plan would take effect in two phases over a two-year period. The time period allowed for the fact that the plan would require an additional 250 school buses, and that some of these could not be secured in time for the 1971-1972 school year. This provision was not contested by the plaintiffs, but Duval County is nevertheless placed in this section of the report because it does not meet the "now" provision of *Alexander* and *Swann*.

In the court order, various clusters of elementary schools were each assigned a specific percentage of black students. These percentages ranged from 15 to 34 percent. Our monitor found, however, that of the 44 schools in Phase 1, 14 exceeded by at least 10 percent the black percentage anticipated by the court, many of them exceeding it by as much as 30 or 40 percent.

The plan for faculty desegregation adhered to the *Singleton* standard in requiring each school to reflect the district-wide teacher ratio of 28 percent black, 72 percent white. But our monitor found that in three Phase I schools the black teacher percentage was exceeded by at least 10 percent.

The court ordered that seven black schools in the inner city be closed. Two were closed because the school board said they were inferior facilities and also because they were in deteriorating neighborhoods and high crime areas. As to two other of those schools closed, there was no evidence presented nor any findings by the court that they were inferior or inadequate. The court also mentioned the inability of the superintendent to keep enough certified white teachers at these schools.

This part of the order was appealed to the Fifth Circuit, but that court found "there was no invidious discrimination in the closing . . . . Indeed, the record makes it clear that the schools were closed for sound, non-racial reasons."

ORANGE COUNTY, FLORIDA (ORLANDO)

One would think a school district with only 18 percent black enrollment would have little difficulty in eliminating its dual school system, but such is not the case in Orange County. The Orange County school board has vigorously resisted the efforts of Legal Defense Fund attorneys, with the result that a substantial number of black students remain in majority black schools, while an inordinate number of all-white or predominately white schools remain.

At the end of the 1970-1971 school year, eleven of Orange County's 99

schools were attended by 52 percent of all black students enrolled in the system. It was on those schools that post-*Swann* litigation centered.

U. S. District Court Judge George C. Young excluded from consideration five of the schools which he judged not to be vestiges of the district's dual school system. Of the remaining six schools, the Orange County school board proposed to close Holden Street and Webster Avenue schools because they were valuable properties which the board wished to sell for income purposes. They also proposed to zone additional whites into Wheatley Elementary, convert Eccleston and Carver into a special education complex, and develop a special "enrichment" program for Washington Shores, the remaining all-black school.

In his order on September 17, 1971, the judge required the board to zone still more whites into Wheatley, but rejected an LDF proposal that it be more significantly desegregated by clustering it with two predominately white schools. The proposal to close Holden Street and Webster Avenue was accepted. The request to convert two schools into special education centers was denied. Eccleston and Washington Shores remain black but have the "special enrichment" program proposed by the board. On October 8, 1971, Judge Young, accepting a proposal which the school board had made to the Fifth Circuit, ordered the pairing of Carver with Robinswood, a junior high school which had begun the fall term with a black enrollment of about 6 percent.

The result of the order was the following:

	1970-1971	1971-1972
Carver Junior High	92.7% black	55% black
Eccleston	100%	99.8%
Holden	98.8%	closed
Hungerford*	84.4%	79%
Maxey*	86.6%	79%
Orange Center*	96.7%	96%
Richmond Heights*	100%	100%
Washington Shores	100%	99.7%
Webster Avenue	87.3%	closed
Wheatley	86.5%	75%
Jones High*	84%	84%

*—Indicates those schools ruled as not being vestiges of the dual school system.

These schools are now attended by 38 percent of the black students enrolled in the district.

The Legal Defense Fund has appealed to the Fifth Circuit, arguing that the District Court should not have excluded the five schools from its order on the basis that they were not vestiges of the dual school system, that the two black

schools should not have been closed, and that one of the all-black schools could have been feasibly desegregated.

The LDF also maintains that the court required less than the *Singleton* standard in reassigning faculty and staff of the schools closed under the desegregation plan. Officials have been meticulous in maintaining an 82-18 percent white-black ratio. Principals were quoted as saying, "I have my quota of blacks.'

ATLANTA, GEORGIA

Atlanta is basically operating under a desegregation plan ordered in February, 1970, but there have been two post-*Swann* actions. On June 10, 1971, the Fifth Circuit ordered the existing plan modified to provide free transportation to students wishing to take advantage of a majority-to-minority transfer provision. Since the Atlanta school system operates no transportation system, transfer students had to use public transportation at their own expense; under the Fifth Circuit order the district is now paying the cost. In the same order, the Fifth Circuit also remanded the Atlanta case back to the district court to determine if it was in compliance with *Swann*.

On July 28, 1971, the U. S. District Court found that segregation in Atlanta schools was *de facto* rather than *de jure*. The system was therefore found to be unitary. The LDF appealed this decision to the Fifth Circuit in October and won the right to submit a desegregation plan in January, 1972. The school board had until March 1 to consider the LDF proposal. It is reported that an out-of-court settlement is being urged.

Atlanta is one of the largest school systems in the South, with 97,229 students of which 72 percent are black, and 28 percent are white.

Out of the 162 schools in the Atlanta system,

47 are 100 percent black; one is 100 percent white.

29 are 98.5 to 99.9 percent black.

Twelve are 91 to 97.6 percent black.

26 are 91.2 to 99.6 percent white.

Four are 82.1 to 89.3 percent white.

Nine are 70 to 80 percent white.

Four are 60 to 70 percent white.

Our monitors were not able to obtain exact information on the extent of faculty desegregation. But it is reported that while the district-wide teacher ratio is 57 percent black, 43 percent white, the general trend in majority white schools

is for the ratio of white teachers to fall between 50 and 60 percent, while the ratio in all-black or predominately black schools falls between 35 and 40 percent white.

ROME, GEORGIA

Rome, one of the 81 Georgia districts which came under the Justice Department's December, 1969, statewide desegregation suit, had previously been an HEW district with a 33-66 black-to-white ratio.

The city's plan, first adopted for the 1968-69 term and modified each year since, combined zoning for the secondary schools with pairing of several elementary schools, and freedom of choice in most of the elementary schools. It completely desegregated its high schools the first year, closing the all-black school. But by the 1970-71 term, three of its 13 elementary schools were still totally segregated (one white, two black). Seven others had extremely high concentrations of whites. This segregation was the result of the use of freedom of choice by most of the city's elementary schools. That any desegregation at all was achieved can be credited to the integrated housing patterns in much of the city.

During the desegregation process, some schools have been closed, while new, less well-desegregated ones were opened. In 1971, the two best-desegregated schools in the city—Mary T. Banks with a 56-44 black-to-white ratio and Eighth Ward with a 53-47 black-to-white ratio—were closed. Two other elementary schools opened, one in a predominantly white upper middle class suburb with an enrollment 84 percent white.

In December, 1971, Rome finally had its first ruling under the state-wide desegregation order. The federal district court order focused on the North and South Rome areas, and said that the South Rome Elementary School (80 percent white) should be closed and its pupils sent to all-black Anna K. Davie. In the north area, all-black Main Elementary and the new suburban white school previously mentioned, North Heights Elementary, were to be paired "unless an acceptable alternative which will desegregate the Main Elementary School be filed with this Court by April 1, 1972." No mention was made of West End Elementary, which is all-white and has only two blacks on its faculty. (In fact, the Justice Department had not asked for West End to be desegregated.)

In the plan it has now submitted to the court, the board agreed to the closing of South Rome Elementary. There is no guarantee whites will go to Anna K. Davie, since it and all other elementary schools except North Heights and Main will still be under freedom of choice. Rather than pairing Main and North Heights, the board elected to zone them, although they are only one mile apart.

Zone lines have been gerrymandered so that the suburban school clearly will remain predominantly white, while Main, with a new housing project in the area,

will continue identifiably black. The superintendent refused to release the projected enrollment figures for the two schools and said, "I don't care about numbers."

Children attending free-choice schools will be given priority to attend the one closest to their homes, while those living the longest distance from the school might be required to transfer. The following year, with the completion of West Central Elementary in a white neighborhood, the board hopes to switch to a neighborhood zoning plan. (According to our monitor, a native of the city, Rome's residential patterns lend themselves to a zoning plan. But past actions of the board lead to the suspicion that more gerrymandering will occur.)

Although three of the district's 21 schools have faculties which deviate from *Singleton,* the court made no ruling on faculty desegregation.

EAST BATON ROUGE, LOUISIANA

The Baton Rouge school system is still operating under a desegregation plan ordered by a U. S. District Court on July 22, 1970. That order was "based primarily on the neighborhood concept." There have been no post-*Swann* motions by the LDF.

The East Baton Rouge school system has 66,502 students, of which 39 percent are black, and 61 percent are white.

Out of the 106 schools in the East Baton Rouge system,

Twelve are 100 percent black; seven are 100 percent white.

20 are 90 to 99.9 percent black; 28 are 90 to 99.9 percent white.

Three are 80 to 90 percent black; ten are 80 to 90 percent white.

Contrary to the language of the plan, developed by a special committee of teachers, central office, and community people, most of the segregation in the system exists at the elementary level.

The black-white faculty ratio in the district is 35-64. But eight schools have less than 23 percent black faculty, and 23 schools have more than 45 percent black faculty. The system is in violation of the *Singleton* standard required by the 1970 court order.

MONROE, LOUISIANA

Prior to the 1971 school year, the Monroe school district utilized a desegregation plan involving freedom of choice, geographic zoning and pairing. At the end of the 1970-1971 year, four of the district's 18 schools were between 92 and 99 percent black, while four others were between 93 and 100 percent white. Monroe's schools enroll 9,911 students, of which 57 percent are black and 43 percent are white.

The district is now operating under a plan developed subsequent to *Swann,* but it did not result from post-*Swann* motions by the plaintiffs in the district's desegregation suit. Instead, the plans resulted from proposals by a black community group, the Black Citizens Council, to the school board. After subsequent refinements were worked out among the board, the BCC, and a bi-racial committee, the newly developed plan was filed with the U. S. District Court on July 30, 1971, and a consent decree was issued.

Under this plan, students living closest to a school (within a mile radius) have a pre-emptive right to attend that school so long as the racial majority of that school does not exceed 70 percent. Students living beyond the mile radius are assigned to the nearest school that permits their entrance within the 70 percent limitation. Majority students living within the mile radius but unable to attend the nearest school because of the 70 percent limit are to be assigned to the closest school outside the mile radius that has a majority less than 70 percent. It was agreed that two all-black schools, Clark and Lincoln, would remain as "model schools." Clara Hall and Carver would remain paired as in the court order for 1970-71.

The Monroe school authorities have violated this plan in their assignment of students. As a result, eight schools have white majorities which exceed 70 percent, while three schools (in addition to Clark and Lincoln) have black majorities—of 91 percent, 97 percent and 100 percent.

The black community is now appealing the case, not only because of these violations, but because the majority white schools are operating under capacity while the majority black schools are overcrowded. Black children have been assigned to schools where the black enrollment is in excess of 70 percent, in spite of the fact that these students often have to pass schools where the white majority has exceeded 70 percent.

At least half of the schools vary from the *Singleton* standard.

SHREVEPORT, LOUISIANA

Shreveport continues to use a desegregation plan ordered by a U. S. District Court on Jan. 30, 1970. LDF attorneys have made no post-*Swann* motions.

The Shreveport school system has 52,896 pupils, and of these 50 percent are black, and 50 percent are white.

Out of the 75 schools in the district,

Twelve are 100 percent black; six are 95 to 99.8 percent black.

Four are 91 to 94.8 percent black; two are 82.9 to 96.5 percent black.

Six other schools are virtually all white.

The faculty ratio is 41 percent black-59 percent white. Fifteen schools in the system exceed the percentage of black teachers in the system by a variance of more than 10 percent.

GULFPORT, MISSISSIPPI

Gulfport negotiated a settlement with HEW on a plan prior to *Swann,* and no changes have been made since that decision.

The Gulfport district has an enrollment of 8,558 students, of which 2,178 (25.4 percent) are black. All 17 schools are geographically zoned.

Out of the twelve elementary schools, three have black enrollments substantially above the district-wide percentage: 72 percent, 41 percent, 40 percent. Three others have substantially low black enrollments: 8 percent, 8 percent and 6 percent.

The plan also resulted in the closing of two formerly all-black facilities. Only one black principal remains, serving at the 72 percent-black elementary school.

HATTIESBURG, MISSISSIPPI

In August, 1970, the Hattiesburg Public School District developed and filed with a U. S. District Court a consent degree establishing a geographic zoning desegregation plan. Following *Swann,* the plan was updated at the initiative of the Justice Department, but provided only for pairing of schools at the secondary level. The decree, entered on July 22, 1971, maintained elementary schools which reflected neighborhood patterns. A minority of the court-appointed bi-racial committee objected to the plan, but its protests and those of the black community were ignored by the court, the school board and the Justice Department.

Hattiesburg's school system has 7,431 students, and of these 46 percent are black and 54 percent are white.

Out of the 15 schools in the district,

Four are 94 to 97 percent black; two are 90 to 94 percent white.

Two are 78 percent and 79 percent white.

DURHAM, NORTH CAROLINA

The Durham, North Carolina, city schools are operating under a July, 1970, plan of geographical zoning.

While the student ratio is 65 percent black, only 49 percent of the faculty is black and only 20 percent of the teachers hired this term were black. Three

schools out of 24—Durham High, Whitted Junior High and Lyon Park Elementary—deviate more than 10 percent from the district-wide black faculty ratio.

Out of the 24 schools,

Four are between 92 and 97 percent black.

One is 86 percent black, and three are 75 to 78 percent black.

School zones are reported to be flexible and not adhered to or checked by the administration.

The Durham city system is out of compliance with the Winston-Salem federal court decision requiring all state districts to provide transportation from community to school for students living more than one and one-half miles from their schools. Buses are supplied instead (for blacks and some whites) from station to station. As a result, black students must walk long distances to a school station or spend up to 50 minutes transferring on city buses to travel relatively short distances.

In spite of these problems, the transportation committee has not met this year and only two new buses have been ordered. Others are on loan from the county and state. Bus service has been so inadequate for blacks as to lead to the suspicion that the board is using this method to encourage them to attend the schools closest to their homes.

KNOXVILLE, TENNESSEE

The Knoxville school system is still using a desegregation plan ordered by a U. S. District Court on July 1, 1970. The zoning plan was appealed by the LDF attorney to the Sixth Circuit Court of Appeals which then remanded it to the District Court after the *Swann* decision. The school district submitted a new plan to the court which essentially maintained school zones. On March 8, 1972, Judge Frank Wilson held that the present plan meets the criteria of *Swann*. The LDF attorney has appealed this decision.

The Knoxville school district has a student enrollment of 35,328 of which 17 percent are black, and 83 percent are white.

Out of the 66 schools in the Knoxville system,

One is 100 percent black; 17 are 100 percent white.

Seven are 95 to 99.9 percent black; 25 are 96 to 99.8 percent white.

Four are 64 to 85 percent black; two are 90 to 92 percent white.

The district-wide faculty ratio is 15 percent black-85 percent white. But our monitor found that nineteen schools have a black faculty ratio that exceeds or falls short of the district-wide black faculty ratio by 10 percent.

MEMPHIS, TENNESSEE

Incredibly, Memphis has continued to operate a zoning plan that preserves its dual school system even though the school district has been under the jurisdiction of a U. S. District Court since 1960. The school system has always maintained that it was operating a unitary system and that any segregation in the schools was the result of *de facto* residential patterns which coincided with the district's neighborhood attendance zones. Until recently the court has agreed with this position. On March 20, 1972, Judge Robert McRae ordered a minimal busing plan for the 1972-73 school year.

Memphis has 163 schools, with 145,581 students, and of these 54 percent are black, and 46 percent are white.

All but 22 of Memphis' schools are readily identifiable by race, as follows:

29 are 100 percent black; 18 are 100 percent white.
26 are 98 to 99.9 percent black; 26 are 98 to 99.9 percent white.
13 are 90 to 97.9 percent black; 17 are 90 to 97.9 percent white.
Two are 80 to 89.9 percent black; ten are 80 to 89.9 percent white.

Under the plan ordered for 1972-1973, approximately 13,000 students will be bused. However, implementation of the plan will leave 36 one-race schools and 44 other schools in which 90 percent or more of the students will be drawn from a single racial group.

NASHVILLE-DAVIDSON COUNTY, TENNESSEE

The metropolitan Nashville school district includes 88,190 students in 137 schools. The ratio of black to white students is 27 percent to 73 percent.

An OCR-ESAP investigating team visited Nashville in December, 1971, and found that eleven secondary schools and one special education program did not meet *Singleton* requirements. The OCR regional office informed the school system that proper faculty ratios would have to be established by the second semester. After the school board and the Metropolitan Nashville Educational Association both requested that transfers be delayed until the beginning of the 1972-73 year, OCR backed off and decided that changes would be necessary at only four of the schools. The other eight were declared to be in "substantial compliance" for ESAP purposes.

Nashville is using a post-*Swann* plan ordered by the U. S. District Court on June 29, 1971. In its deliberations, the court considered plans submitted by the school district, plaintiffs and HEW.

The school district's plan was rejected because, as Judge L. C. Morton wrote in his order, it "constitutes mere tinkering with attendance zones, and represents

only a token effort." The plaintiffs' plan was also rejected because it would have left the actual assignment of students to the school board which the court did not feel could be trusted, and because the plan involved some schools in "the outer reaches of the county" which would have entailed additional use of transportation. The plaintiffs' plan was also faulted by the court because it did not include a "description of grade organization, structuring the schools, the assignment of pupils, or proper description of zoning."

The plan put forward by HEW, utilizing non-contiguous zoning, pairing and clustering, was ordered. Not all aspects of the HEW plan have yielded the results anticipated by the court. The court order stated that at the elementary level there would be no "school in the system with a black student enrollment of more than 41 percent." In fact, 24 schools in the system have enrollments which are over 41 percent black, and nine of these have enrollments of 50 percent or over. The court also projected that "74 schools would have a racial percentage of 16-41 percent black." But only 51 schools have black enrollments within the projected 16 to 41 percent range.

At the secondary level, the court order stated that "no school would operate with more than 44 percent black" student enrollment. But in reality, three schools have 50 percent or more black enrollment; another has 64 percent black enrollment, and another has 72 percent black enrollment.

The HEW plan also left 20 schools with enrollments which were projected at 0 to 11 percent black, but which turned out to be between 0 and 8 percent black. The court excused this on the basis that the schools "are located in the far reaches of the county." Thirteen secondary schools were permitted to remain virtually all-white. Judge Morton permitted the school system to proceed with the construction of two schools, but enjoined the construction of a new high school because it would be located in an all-white residential area.

The current plan is being appealed both by the defendants and the plaintiffs to the Sixth Circuit U. S. Court of Appeals. One of the criticisms of the plan by the plaintiffs is that the heaviest burden of busing falls on black children. All schools with grades one through four are in suburban areas to which black children must be bused from the inner city.

While the plan certainly has obvious deficiencies, it appears that with some adjustments it could be made effective and workable.

FLORENCE, SOUTH CAROLINA

In 1970, an HEW "expert" prepared a desegregation plan for the consideration of the U. S. District Court with jurisdiction over Florence County School District #1. It was so poor and inaccurate that the judge ruled the system would operate under a temporary plan until the 1971 school year. Justice Department

attorneys reportedly had to accept this arrangement because the HEW plan was indefensible.

During the early part of the summer of 1971, Florence #1 school officials, Justice Department attorneys, and HEW officials were involved in negotiations which bogged down. The Justice Department was prepared to initiate post-*Swann* motions. But then a delegation of white officials from the Florence #1 school district went to Washington, apparently at the encouragement of an HEW official in the Atlanta office, to talk with a highly-placed Justice Department official. The next day, a "suitable compromise" was reached and no motion was filed.

Though Justice Department attorneys wanted the district to pair some elementary schools, at the end of the negotiations no schools were paired. The plan proposed by the school district was accepted by the Justice Department. The school district officials made a verbal commitment to continue to desegregate the elementary schools in the system to a greater extent in the future.

With only 14,445 students and 21 regular schools, Florence #1 could have achieved a near racial balance in each school with little difficulty. But though the district-wide black-white student enrollment ratio is 41 percent-59 percent, one school is 99 percent black, one is 82 percent black, one is 95 percent white, and two are 81 percent white. In addition, one school is 72 percent black and two schools are 78 percent and 79 percent white, respectively. The schools which are 70 percent or more of one race are all at the elementary level, and constitute half of the total number of elementary schools in the district.

Florence continues to maintain three schools that are in at least 10 percent variance or more with the district-wide faculty ratio of 66-34.

AUSTIN AND HOUSTON: SEGREGATION OF TWO MINORITIES

Our monitors surveyed two school districts, Austin and Houston, where the presence of a second minority group has not yet been seriously dealt with as a valid consideration in desegregation plans. In both districts, Mexican-Americans, or Chicanos, still have the same official status as whites, or Anglos, when it comes to determining how desegregation will proceed. Because Chicanos are not considered as a minority group for the purposes of school desegregation, majority-minority schools in which Chicanos predominate, or in which Chicanos and blacks together form a majority, are not considered minority schools even though they are ethnically identifiable as such.

In Houston, what little desegregation has taken place has been implemented primarily between blacks and Chicanos and has left the white population untouched. Houston's "desegregation" plan has actually led to the existence of more majority-minority schools on all levels than there were in 1968. In Austin, where

no desegregation has taken place below the junior high school level, there are more majority-minority elementary schools than there were in 1968. Moreover, there seems to be little doubt that in the eyes of the Anglo populations of Houston and Austin, majority-minority schools, whether they are predominantly Chicano schools or Chicano schools "integrated" by blacks, are just as "undesirable" as majority-minority schools that are predominantly black.

The non-recognition of racially isolated Chicano schools as minority schools in Austin and the cynical labeling of Chicano schools as non-minority schools to achieve dubious token desegregation in Houston have both been possible because the courts have not yet ruled that Chicanos have the same status as blacks in school desegregation cases. Chicanos were not, after all, ever enslaved, at least not technically; nor have there been state laws requiring the segregation of Chicanos in public schools. Unquestionably Chicanos are the subject of considerable prejudice, discrimination, and racism[2] but most U. S. District Courts (the Southern District Court of Texas in the Corpus Christi case being an exception) have not been satisfied that such discrimination has been manifest in forms of state action.

In the Austin case, the Mexican-American Legal Defense Fund has argued, convincingly in the view of this report, that school authorities and government agencies have indeed made decisions, formal and informal, regarding the construction, location and treatment of schools based on considerations of Chicanos as a separate ethnic group which should be kept apart from the major racial group. They have argued that these decisions have been detrimental to the education of Chicano children who have therefore been denied equal protection of the law. This question is now before the Fifth Circuit, and a decision is expected prior to the 1972-73 school year.

AUSTIN, TEXAS

The Austin Independent School District has an enrollment of 55,565 students, of which 65 percent are white, 21 percent are Chicano, and 15 percent are black. Until 1955, Austin maintained a strictly segregated school system, but after *Brown,* it began a policy of gradualism, with freedom of choice for black students. By 1963, all grades were included in this policy, but only slightly more than 900 black students (14 percent of the total black student population) were enrolled in formerly all-white schools. In 1968 OCR found that the district was still operating eight all-black schools, and another ten schools where the combined minority (black-Chicano) enrollments represented more than 90 percent of the respective student bodies.

Meanwhile, the East Austin community had become nearly all black and

[2]*For a more thorough study of the educational problems of Chicanos, see* Mexican American Education Study, *Vols. I - III, United States Commission on Civil Rights, 1970-1971.*

Chicano. The student ratio there was 7 percent white, 45 percent black and 48 percent Chicano. HEW recommended a desegregation plan calling for some redrawing of zone lines and school reorganization, but the Austin school board refused to accept it. HEW then initiated administrative hearings against the district in 1969. In 1970, the hearing examiner ruled in HEW's favor. When the school district refused to comply with the ruling, the Justice Department filed suit against the district.

Austin schools began the 1970-71 year under a temporary desegregation plan drawn up by HEW and ordered by a U. S. District Court. The interim order called for the closing of one all-black elementary school (which was not carried out until the following year), but left the other black and minority schools pretty much intact. It did call for implementation of *Singleton*. In the school year preceding the order, 1969-70, every black school had a predominantly black faculty, although only 16 percent of the teachers in the system were black. The court also established May, 1971, as the final deadline for submission of desegregation plans by the Justice Department and the school board.

The Austin situation took on special significance with the approach of the May 14 deadline since the new HEW plan would represent the Nixon Administration's first formal response to *Swann*. In a departure from usual form, HEW's plan was submitted to the Austin superintendent, with a copy given to the judge rather than directly to the judge. After complimenting the Austin officials on their plan, HEW presented its own plan in the form of "improvements" on the district's plan.

The HEW plan required several non-contiguous zones and extensive new transportation arrangements. Under the plan, all high schools and junior high schools would have Anglo majorities while only eight of 54 elementary schools would remain between 50 percent and 60 percent black-Chicano. The district's plan, on the other hand, used non-contiguous pairing of 38 schools in six cluster arrangements. Although the clustering combined Anglo, black, and Chicano schools, it was limited to periodic interracial association between black and white students.

Rejecting the government's arguments that Chicanos as well as blacks were subjected to *de jure* discrimination by the Austin Independent School District, the U. S. District Court ordered implementation of the board's plan for 1971-72. While it seemed clear that the Department of Justice would routinely appeal the decision in light of the strong plan submitted by the government, the appeal process was anything but routine. The announcement of the appeal was accompanied by a statement from President Nixon that made three alarming points: (1) he announced that in the process of the appeal, the Justice Department would disavow the HEW plan on behalf of the government; (2) he declared his opposition to "busing simply for the sake of busing"; (3) he said that the administration would introduce an amendment to ESAP, then before the House, to prohibit the expenditure of ESAP funds for busing.

The Department of Justice stated in its appeal that *de jure* discrimination against Chicano students did not extend to all Mexican-American schools as originally assumed by the new HEW plan. It asked that consideration of the extent of the relief be remanded to the district court. It also recommended that the court should decide at which schools there is proof of discrimination against Chicanos, and should limit its relief to eradicate the effects of that discrimination. The appeal, which is still pending before the Fifth Circuit, also requested that the consideration of other approaches to desegregating the black elementary schools be remanded to the district court.

As a result of the school district's plan, the 72 schools in the system have the following racial composition for 1971-72:

52 schools are majority Anglo, and 19 of those schools are over 90 percent Anglo.

20 schools are majority-minority, and 16 are over 90 percent minority. Of those 16 schools, six are over 90 percent black and four are over 90 percent Chicano. In the other six over-90 percent minority schools, the combined black and Chicano enrollments are more than 90 percent.

Thus, 35 of the district's 72 schools are still racially and ethnically identifiable as either over 90 percent Anglo schools or over 90 percent minority schools. Moreover, 64 percent of all black students in the district attend majority-minority schools, with 58 percent of those students in 80-100 percent minority schools.

The black teacher ratio in Austin compares favorably with the black student ratio, and the district is in compliance with *Singleton*. Chicano teachers, however, comprise only 4.5 percent of the total faculty, and over 50 percent of all Chicano teachers are still assigned to majority Chicano schools.

School desegregation in Austin has so far meant the closing of three black schools—the black high school, the black junior high school, and one black elementary school—and has placed the burden of desegregation entirely on blacks.

Also, the "learning clusters" plan, devised by school officials to satisfy the district court order for an elementary school plan that would not involve massive transportation arrangements, has not even been implemented. The reason given by school officials for failure to implement the elementary school plan is that the district received only one-tenth of the ESAP funds it requested for the program.

It is little wonder that community people contacted by our monitor regard HEW and the Justice Department as well as school officials, with some cynicism. Chicanos, blacks, and concerned whites were almost unanimous in their assertion that the Justice Department had "sold out" the interests of the minority community in Austin. One Chicano leader felt that the federal government had used Austin "as a political ploy." A white attorney described the case as "pretty much

of a mockery." A black leader said "it came across to the black community that Nixon was only making another political maneuver" with the equivocal appeal.

The community also feels uncomfortable with another political aspect of the case. The chairman of the Austin school board, Will Davis, was formerly chairman of the Texas Democratic Party. U. S. District Court Judge Jack Roberts was appointed by Lyndon Johnson and is a friend of Davis. Donald Thomas, who argued the school board's case, is the personal attorney for Lyndon Johnson. It is little wonder that desegregation advocates in Austin suspect that this case has more to do with politics than with law and justice.

HOUSTON, TEXAS

With 231,493 students (46 percent white, 38 percent black, 16 percent Chicano) in a school district covering 311 square miles, Houston was the largest school system included in our survey. The school district was first sued by an LDF attorney in 1956 after which Houston initiated a grade-a-year, free choice plan. Freedom of choice was extended to all grades by 1967, and also in that year the Department of Justice was permitted to intervene in the case. It is interesting that in subsequent litigation, neither the plaintiffs nor the defendants separated Chicano students from the majority population, and together they were considered as the "white" enrollment which represented two-thirds of the district.

The school district was ordered to submit a new plan to the court in 1970, and ultimately, seven plans were presented for the court's consideration. The LDF submitted a computer-designed plan calling for extensive busing. The Justice Department presented a plan developed by the HEW Title IV desegregation center in Florida. The Texas Desegregation Center (also an HEW Title IV Center) presented a plan at the direction of the court. The 1969 school board had presented two plans, and the new 1970 school board presented two plans.

The two plans presented by the new school board were the "equidistance zoning plan" and the "geographic-capacity zoning plan." The equidistance zoning plan was modeled after a similar plan in Orange County, Florida, and provided for drawing zone lines exactly equi-distant between adjacent schools. Students would attend the school nearest their homes, with a voluntary majority-minority transfer provision. If a student chose the nearest school in which he was in the minority, he was permitted to bump a student of the opposite race. Free transportation was provided. Under the "geographic-capacity zoning plan" a zone would be drawn around each school with the size of the zone determined by the capacity of the school.

U. S. District Court Judge Ben Connolly ordered the equidistance plan, but this decision was appealed to the Fifth Circuit. A three-judge panel ruled that

the equidistance plan should be used as a base for the elementary school desegregation plan, with the modification of twelve sets of paired schools. The court ordered the geographic-capacity plan to be used at the secondary level.

The plan was supposed to be completely implemented in September, 1970. But the board filed a motion taking exception to most of the elementary pairings because they desegregated only black and Chicano students, and resulted in what it characterized as "statistical desegregation."

Only in May, 1971, did Judge Connolly finally deny the motion. The school board implemented the complete Fifth Circuit desegregation plan in September, 1971.

No *Swann* motion has been filed by either LDF or the Justice Department, and none seems imminent. The Justice Department feels it will be virtually impossible to prove *de jure* discrimination against Chicanos in Houston—certainly much tougher than in Austin and Corpus Christi. The LDF attorney told our monitor, "We recognize there is going to have to be some busing, but there are good arguments on the other side . . . I'd like to play a psychological game. I'd like to give this so-called liberal board time to play with it."

The desegregation plan ordered by the Fifth Circuit is little better than no plan at all. Of 231 schools in the Houston system, our monitor found that:

107 schools are majority Anglo, and 44 of those are over 90 percent Anglo.

116 schools are majortiy-minority, and 82 of those are over 90 percent minority.

Of those 82 schools, 50 are over 90 percent black, four are over 90 percent Chicano.

In the other 28 over-90 percent minority schools, the combined black and Chicano enrollments are over 90 percent.

Thus, a total of 126 schools are still clearly identifiable as either over 90 percent Anglo schools or over 90 percent minority schools.

In February 1970, the Houston school board voted to voluntarily adopt *Singleton* for the 1970-71 school year, and is in compliance. The district-wide faculty ratio is 64 percent white, 33 percent black and 3 percent Chicano. Although HEW has said that the *Singleton* ratio is slightly off in some heavily Chicano schools, that deviance occurred because the Houston Independent School District concentrated the few Chicano teachers it employed in Chicano schools and counted them as minority teachers rather than as white (as HEW did in accordance with the court order). HEW and HISD have worked out their disagreement.

V

THE STUDENTS INVOLVED

PARTICIPATION IN EXTRACURRICULAR ACTIVITIES

No clear pattern concerning the participation of black students in student governments emerged from our monitoring survey. Efforts to guarantee adequate representation vary greatly from district to district and even among schools within the same district.

The **Little Rock, Arkansas,** School Board decreed that two representatives to the student council, black and white, would be chosen from each homeroom, but the officers were chosen by the student body. Therefore, the council is well-integrated, but all of the officers are white. In **Montgomery, Alabama's** Jefferson Davis High School, 21 percent of the 61 member student council is black, but there are no blacks on the 15-member executive council.

Texarkana, Arkansas students feel that the system of electing officers to the student council is rigged so that there will never be more than a few blacks on the council and no officers. To qualify for the student council, students must submit a petition with twenty-five signatures and then run in an at-large election. The at-large election negates the potential of the black vote, as does a full-slate requirement (students must vote for as many individuals as there are vacancies for a particular post or their ballot is thrown out). In the eyes of the students, the school system is merely following the lead of the city government—which, in electing school board members and city councilmen, changed from a ward system to an at-large system when blacks became politically active.

Students in **Selma, Alabama,** found that because blacks were in a majority after desegregation began, they won most of the positions during the first year. Now students at Selma High are required to vote for an equal number of black and

white members of the student council, though the student enrollment is 60 percent black. To qualify for student council posts, students must submit their names to the principal who "screens" the candidates, using his own criteria. Before desegregation, students in all the high schools were allowed to make speeches and campaign, and there was no screening by the administration.

In a **Raleigh, North Carolina,** high school an assistant principal suggested to the students that class officers be selected on a 70 percent white, 30 percent black basis. The student body voted for equal representation among black and white students.

Other schools have made efforts to see that there is equal representation on student councils. At Wilson and West Florence High School in **Florence, South Carolina,** a "slate" election system is used. Students can construct their own slates for student council positions, but each slate must be half black and half white. In **Forest City, Arkansas,** the school board promised that student council and class officers would be elected on the basis of race to ensure representation. The plan was for one race to hold each position for one semester, and the other race to hold that position in the second semester. The student council is currently predominately black, the president is black, the vice-president is black, the secretary is white, and the treasurer is white. Black students at Rule High School in **Knoxville, Tennessee,** organized themselves so that four of five student council officer positions are now held by blacks, and 35 of 52 homeroom representatives are black.

Throughout the South, our monitors found inadequate representation of black students on cheerleader squads. In **Jefferson County, Alabama,** only one desegregated high school has an integrated cheerleading squad. Few high schools in **Birmingham, Alabama, Little Rock, Arkansas, Huntsville, Alabama,** and **Texarkana, Texas,** have cheerleading squads that are significantly integrated. At Memorial High School in **Orange County, Florida,** black students were told they did not make the cheerleading squad during tryouts in the spring of 1971. Some black cheerleaders were added in the fall, but by then they had to start without the right uniforms. At Evans High School, many black students tried to become cheerleaders but were not accepted by the all-white panel of judges.

Methods of selecting cheerleaders vary from school to school. Some let all candidates for cheerleader be voted on by the student body, while others require that the student body vote only on those nominees who pass a screening by a faculty committee.

At Rogers-Herr High School in **Durham, North Carolina,** the principal and dean of girls made up new standards (grades, conduct, etc.) when large numbers of blacks attempted to participate in the selection of student council members and cheerleaders. But when a bi-racial faculty team selected the cheerleaders outright, at majority black Wonder Junior High School in **West Memphis, Arkansas,** the 16 cheerleaders were still all-white. **Montgomery, Alabama,** has a faculty screening

committee, but Lee High School has only one black cheerleader and Jefferson Davis High School has none.

There are also economic barriers to black participation on cheerleader squads. In **Forest City, Arkansas,** and **Shreveport, Louisiana,** students must pay for their own uniforms and for attending cheerleader workshops. In Shreveport, the uniforms cost $75 and the workshops $100. Students in **Rome, Georgia,** must also pay for their uniforms.

Some schools have qualification requirements that seem to bar black students from cheerleader squads. **Texarkana, Arkansas** students must serve on the pep squad for two years before they can be eligible to become a cheerleader, and, as a result, there are no blacks on the cheerleader squad. Our monitor in **New Orleans, Louisiana,** was told, but was unable to confirm, that before a student at Beauregard Junior High School (19 percent black) can be a cheerleader, he must first be a flag twirler, and flag twirlers train each summer on the Mississippi Gulf Coast where they stay with white families. As a result, the Beauregard cheering team has no black members.

At the desegregated high school in **Selma, Alabama,** students competing for the cheerleader squad must have a certain grade average and have been members of the pep club—requirements not demanded at the formerly black high school. There are black students on the cheerleading squad (four of 13).

At many schools, similar problems confront black students who want to be majorettes. There are no black majorettes in **Knoxville, Tennessee,** because black candidates cannot get white votes. The school board has included a provision in the desegregation plan which insures the election of at least one minority-group cheerleader at each high school.

In **Savannah, Georgia,** the majorettes at Windsor Forest High School were all-white, reportedly because the black students who did express interest were told in August they must pay $150 for uniforms and equipment. When they were unable to raise the money, they were eliminated from participation. At Windsor Forest Junior High in the same city, black students were told they weren't qualified because they were not used to the "routines" of the white schools. Students in **Huntsville, Alabama,** and **Jefferson County, Alabama,** told our monitor that they knew of no black majorettes at any integrated schools. Even in **West Memphis, Arkansas,** where the band is well-integrated, the majorettes are white.

The majorettes in **Montgomery, Alabama,** are selected by the band director and a couple of people he selected to be on the committee. Lee High School has no black majorettes, and at Jefferson Davis High School, only one of 15 majorettes is black. In spite of this, there have been no protests over the selection procedure. **Forrest City, Arkansas,** High School has no black majorettes because of a require-

ment that a majorette must play an instrument. This was not true at the formerly black high school.

Ninety-five percent of the majorettes and drill teams in **Little Rock, Arkansas** are white. Each drill team consists of 40 or more female students and performs on behalf of a given school at athletic events. Although the black enrollment is no less than 30 percent at any high school, the black participation in these programs is 10 percent or less. Girls must buy their own uniforms which can cost as much as $175 each at Central High School. This factor alone tends to deter black participation.

Discontent with the band itself is high in **Selma, Alabama.** Of nearly 50 band members, only six are black. A combination of factors is responsible for this low participation. Students who were band members previously at a black school were angry when their director was not chosen to lead the Selma High School band. He had won many awards and had more experience than the white director eventually chosen. Too, all prospective members of the Selma High band must take a test, even if they have had previous band experience. The black students also felt that only "white folks" music was played, and said that no routines from the black schools were used. The white band director is reported to have said that instruments used at the black school were not acceptable, even though that school had won numerous awards with those same instruments.

Forrest City, Arkansas, has two bands. The "A" band performs at half-time; the "B" band is a training band. Most blacks are assigned to the "B" band, and most quit because of what they consider racism by the band director. Seven black students and 60 white ones are members of the "A" band. The bands are also only tokenly integrated in **Jefferson County, Alabama,** where most band directors determine the student's ability "to pay" as well as to play an instrument.

The **Durham, North Carolina,** school district does not provide instruments; the cost of purchasing or renting these was found to be a barrier to the participation in the band of low-income black students. Few bands in **Huntsville, Alabama** have black students. Even though they pass the tryouts, black students say they quit either because the bandmasters are considered to be racist or because the cost of participation is too great. In **Beaumont, Texas,** black students are beginning to find places in the band at 75 percent white Beaumont High. But black students are not allowed in the high school orchestra, because they must have so many years "experience," and none of the black elementary and junior high schools (from which most of the black students come) have orchestras, as the white schools do.

School choruses were surveyed. Many were well-integrated in **Mobile, Alabama,** though a special chorus at Davidson High School is all-white. **Montgomery, Alabama,** has no black soloists. At Hall High School in **Little Rock, Arkansas,** the soloists are white and a special choir, the Hallmarks, is predominantly white. Similarly, Fort Johnson High in **Charleston County, South Carolina,** has one inte-

grated choir and a special choir made up of its "best" members (all white) for public appearances. At Lamar High School in **Houston, Texas,** a special "image" choir that tours about the country is all white. Some black students have tried out for it, but none has been accepted.

A mixed pattern emerges for black participation in school newspapers. The editor at Lee High School in **Huntsville, Alabama**, last year was black, and under his leadership the school paper won state and local awards. The editor reportedly received no scholarship or notice, as the accolades went to his white successor. The former black editor is now at the University of Chicago. In **Knoxville, Tennessee,** students said that black student activities are not reported in the school paper, and that many students don't read the paper anyway because it costs 15 cents a copy.

Though the student newspaper in **Selma, Alabama** has a black editor, only one issue of the paper had been published when our monitor was in the district in January. The principal reportedly censors the paper, and news of black demands submitted to the school in November was not printed. The student papers in **Shreveport, Louisiana,** are reported never to mention racial disturbances in the schools. When two black attendants were elected to the Homecoming Court at Lee High School in **Montgomery, Alabama,** the student paper put a picture of the Queen and two white attendants on the front page, but ignored the black attendants.

Election of black students to academic honor societies was found to be rare in many of the school districts monitored. Candidates for the National Honor Society must not only have a certain academic average, but teachers involved in screening candidates also take into account the student's "conduct", "attitude" and "character." And at Erwin High School in **Jefferson County, Alabama,** members of the honor society are allowed to approve or disapprove of potential members. Subjective criteria for selecting honor society members tends to work to the disadvantage of any student who is "different," whether he is white or black, regardless of his academic average, our survey would suggest.

Our monitors found that black participation in athletics was very good in most of the districts surveyed. Indeed, black athletes dominate sports in some schools.

But some students feel that black athletes are not permitted to participate to the degree that their abilities would seem to dictate. A high school basketball coach in **Raleigh, North Carolina,** is reported to have said that no more than two or three black students would be permitted to play on the team this year. Seven members of an outstanding basketball team at the black school the previous year are attending that school this year.

A black basketball coach in **Little Rock, Arkansas,** was also criticized by community people for continuing to play two white players of alleged lesser ability than some of the black students. Monitors in **Selma, Alabama,** and **Savannah, Georgia,** reported instances in which black football players were used to move the

ball down the field for their teams, only to have white players complete the touchdown drive.

Monitors also found that authoritarian and rigid attitudes of some coaches were responsible for black students feeling that they could not successfully compete on athletic teams. Black students at Vigor High School in **Mobile, Alabama,** complained that they had to have a special attitude of "yes, sir, no sir" to make the team.

The merger of the formerly racially separate high schools in **Orangeburg, South Carolina,** was largely responsible for the development of a state championship football team. But there were reports that students with long hair, sideburns, hippie clothes or even the "wrong" kind of friends (hippies, militants) are kept off the team. Similar complaints came from students at Lower Richland High School in **Columbia, South Carolina.** There, the football coach went so far as to attempt to control attendance at pep rallies by restricting them to those who received invitations or signed up in advance. At one school in **Orange County, Florida,** where a particular team is now predominantly black, the principal now chooses the Sweetheart Court. It was formerly chosen by members of the team.

Another concern expressed by students was that coaches frequently do not help outstanding black athletes get college scholarships. (In some areas, such assistance is not required because the high school teams are heavily scouted by colleges.) In **Forrest City, Arkansas,** a black coach said that no real effort is made to get scholarships for anyone. At Vigor High School in **Mobile, Alabama,** students complained that they were encouraged to participate in sports to make it easier to get scholarships. But in the end, few were forthcoming. Black athletes at Edgewater High School in **Orange County, Florida,** were reported not receiving scholarships nor being nominated for "most valuable player" awards.

A common complaint regarding school clubs focused on the Key Clubs, a service organization composed of student leaders. It is affiliated with the community-based Kiwanis Clubs. Monitors in **Knoxville, Tennessee, Savannah, Georgia, Little Rock, Arkansas, Orangeburg, South Carolina,** and **Texarkana, Arkansas,** reported that Key Clubs in the schools were all-white. In **New Orleans,** our monitor found that Kennedy High School once had a Key Club, but lost it when the principal told its sponsors to desegregate it or get off campus.

Apparently membership in the Key Clubs is by invitation only, and one negative vote can keep a student out. An HEW-ESAP review team was told by officials in **Florence, South Carolina,** that black students were invited to join the Key Club at West Florence High School, but none wished to join. In **Texarkana, Arkansas,** any student who wants to be considered for membership in the Key Club must obtain an application from the principal's office. As black students see it, this procedure is used so that the club can be forewarned.

In **Jefferson County, Alabama, Shreveport, Louisiana, Montgomery, Alabama, Rome, Georgia, Orange County, Florida,** and **Monroe, Louisiana,** black students felt that the times scheduled for meetings of school clubs and the lack or inflexibility of transportation discourage their participation in school activities. Many clubs meet after school or at night when it is difficult for black students who miss the school bus to get home. At A. C. Flora High School in **Columbia, South Carolina,** a student activity bus was provided when it became clear that transportation was a deterrent to black participation in school clubs. And in **Tampa, Florida,** local money has been used to purchase and maintain activity buses.

Our monitors also reported that many black students do not choose to participate in clubs or activities which were not present in the black schools and which are still unfamiliar to them. Only rarely were clubs found to have an affirmative or aggressive program to encourage black students to participate.

In **Austin, Texas,** our monitor concluded, "Although student activities have generally been integrated, at least on a token basis, students feel that there has been no commitment beyond superficial gestures toward making them feel like part of their new schools."

Students in **Selma, Alabama,** and **Montgomery, Alabama,** have tried to form their own black studies or Afro-American clubs, but have been turned down by school officials. Some other districts do have such clubs, sometimes with a few white members.

PROTEST AND CONFLICT

The majority of the districts visited by our monitors had experienced some student unrest since desegregation. Certainly not every school has been affected in these districts. There were relatively few disruptions at the elementary and junior high level, but in the high schools they were found to be relatively widespread.[1]

Our monitors found two types of unrest: student protest and student conflict. Student protests usually involve a large number of students with grievances against the school administration or school board. Such protests seem to result when students have been unable to resolve specific grievances through conven-

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[1] *In November, 1971, the* **Charlotte, North Carolina,** *school board asked the Charlotte-Mecklenburg Community Relations Committee to make an inquiry into the causes of student unrest and advise the board on the group's findings. The Committee's thirty-one page report was released in March, 1972. It went beyond the school board's request because of a finding that the causes for student unrest were often complex and related to other problems not at first apparent. We believe the report is an accurate analysis of problems not only in the Charlotte schools but in urban school districts throughout the South. Because it validates many of the observations made in this monitoring study and because it contains other information which we believe can be generally applied to many school districts of the urban South, our readers may want to obtain a copy to supplement this report. Copies may be obtained from the Charlotte-Mecklenburg Community Relations Committee.*

tional channels, or when some small incident triggers the accumulated frustrations and anger over grievances the students perceive and feel deeply, but which may or may not have been formally articulated and presented.

Student conflicts, on the other hand, may involve only two students, or a small group of students, or large numbers of students fighting each other rather than focusing their attention on some authority figure.

Elements of student conflict may be found in student protest and *vice versa,* but for the purpose of this report we have tried to separate the two.

Student conflict may involve racial hostility, traditional non-racial intimidation and personal aggression, life-style or cultural misunderstanding, and class or economic conflict. Incidents of student conflict may indeed occur with greater frequency or receive more public attention in desegregated schools than in the dual system because of the presence of students representing a wider range of economic, class, cultural and racial origins. It must also be understood that the sophistication of today's students, in confrontation with the traditional curricula and authoritarianism of large urban schools, has also contributed to the restlessness and tension which frequently generate student conflict.

Specific causes of student conflict are generally more difficult to isolate and remedy than are the causes of student protest. But it is not unusual for both types of unrest to have racial overtones.

Most of the unrest identified by our monitors involved student protest over issues of symbolic importance as well as over injustices. At Butler High School in **Huntsville, Alabama,** black students protested the use of the Confederate flag and other regalia, as well as discrimination in the selection of cheerleaders and majorettes. Similar protests broke out over the use of the Confederate flag, rebel mascot and nickname, and the song "Dixie" at Dixie Hollins High in **St. Petersburg, Florida.**

In **Norfolk, Virginia,** black students at Booker T. Washington High School walked out to express their concern that the name of the school would be changed. Absence of black representation on the homecoming court generated student protest at Abramson High School in **New Orleans, Louisiana.** Later black students protested the generally unfriendly atmosphere at class dances featuring white bands.

Black students in **Rome, Georgia,** walked out of school to protest the absence of black cheerleaders, black counselors and a black history course. Delay by the administration of Tara High School in **Baton Rouge, Louisiana,** in dealing with grievances concerning the election of the homecoming court sparked a protest. It included demands for a black studies program, co-presidents of every club and activity in the school, lowering the flag to half-mast on the anniversary of Dr. Martin Luther King's assassination, having black bands play at school dances, and the like.

At two high schools in **Monroe, Louisiana,** 250 students walked out to support their demand for a black studies week. A similar demand for a credited course in black studies was also one of the causes of a protest at Nicholls High School in **New Orleans, Louisiana.** In **West Memphis, Arkansas,** 100 students walked out after a series of incidents insulting to blacks. Subsequent demands were for changes of the school colors and the name of the athletic team and mascot, and for appointment of an equal number of black and white cheerleaders and majorettes, and for specific suspension and expulsion procedures.

Black students and some whites responded to a community call for a boycott in **Austin, Texas,** over the closing of two black schools in 1971. During the boycott, an alternative school staffed with 30 volunteer teachers with teaching certificates operated in an old church building. Classes for the first through eighth grades were held through Oct. 28, 1971, and probably would have continued if financial resources had been available.

In **Charleston, South Carolina,** the entire 1,600-member student body of all-black Burke High School walked out of the school to protest severe overcrowding and poor facilities. Dreher High School in **Columbia, South Carolina,** was closed for several days after student conflict and protest over the inaccessibility of the school principal and administrative staff to black students and parents. When black and white students picketed (on separate days, for different reasons) Abramson High School in **New Orleans, Louisiana,** their pictures were taken by the school administration. According to the students involved, the pictures were blown up and posted on the school bulletin board with a warning against ever participating in demonstrations again. Additional walkouts and other forms of student protest were reported in **Mobile, Alabama; Jackson, Mississippi; Selma, Alabama,** and **Hattiesburg, Mississippi.**

Many of the student conflicts reported by our monitors seemed to be caused by racial hostility. But there were some indications that school administrations were either unable or unwilling to help resolve the basic problems responsible for such friction.

Monitors in **Nashville, Tennessee; Mobile, Alabama; Hattiesburg, Mississippi; St. Petersburg, Florida,** and **Tampa, Florida,** also reported student conflicts which temporarily disrupted some schools. Many of the conflicts were started because of name-calling, "gestures" used by students, or because of some physical overture by a student of one race toward a student of another.

In **Austin, Texas,** racial conflicts occurred in several of the high schools and junior high schools that had an influx of black students for the first time. Racial tension was worst at formerly 95 percent-white McCallum High. Fights and general disruptions continued for several days near the beginning of the school year.

Police, using billy clubs and Mace, were called in to break up a riot which erupted at Reagan High School after a fight between a white and a black student. Both white and black community sources charged that the police brutality was aimed mainly at blacks. The local newspaper implied that the incident was the outcome of a student "gripe session" held the night before, despite the fact that no Reagan students were at the meeting.

Police used tear gas to break up student conflict at Groves High School in **Savannah, Georgia,** during which windows were broken, scores of desks overturned, and fourteen students arrested. Our monitor in **Macon, Georgia,** reported:

"There have been some racial conflicts in the schools among students. They usually follow a pattern of a white and a black getting into a fight with other students joining along racial lines. The white students go home and report the incident to their parents. The next day, black students and white parents are held apart by the Macon police. Most of the time, the incidents are grossly exaggerated by the local newspapers."

After several racial incidents at Southwest High in Macon, students formed their own bi-racial committee, "The Brotherhood of Southwest." One member told our monitor, "we were tired of sitting still while a bad stituation grew worse. This group was formed out of neither love nor hate. We just want to be educated in peace." Student conflict has decreased since the group's formation.

DISCIPLINE: CODES AND SUSPENSIONS

A key deterrent to student conflict and student protest is the administration of each school. Principals have a high degree of autonomy, and it is likely that the atmosphere of a particular school will more or less reflect the principal's sensitivity and creativity, or the lack of it, in dealing with school problems.

To what degree disciplinary action resolves problems or merely compounds them depends to a large extent on the wisdom and fairness of individual principals and teachers. Our monitor in **Norfolk, Virginia,** reported that, "Rules are made by individual teachers or by a principal. Obviously, with such a vague standard it is easy for discipline procedures to be misused." In **Austin, Texas,** the "enforcement of the rules is at the discretion of the principals." In **Monroe, Louisiana,** "the disciplinary code, in most cases, is left in the hands of the local administration, namely the principal."

Our monitor in **Texarkana, Texas,** reported, "The students said that one of the primary problems with enforcement is that each teacher and administrator can be an enforcer, and that racist teachers enforce it discriminatorily against blacks."

In **Tampa, Florida,** the monitor reported, "The superintendent says that there is a systemwide set of student rules. This is true, and this is not true. It is not true

insofar as all kids in the system are not subject to the same disciplinary action for the same alleged offense. It is true insofar as certain procedures for kids disciplined are standard." Our **Jefferson County, Alabama,** monitor reported that, "Rules are made (but not necessarily written) by the principal in each school."

One area where great discretion is possible by principals and teachers is the administration of dress codes. Dress codes in **St. Petersburg, Florida; Baton Rouge, Louisiana** and **Huntsville, Alabama,** have either been eliminated altogether or made very broad because previous codes with specific standards had been more trouble than they were worth. But some other districts adhere to codes which continue to cause problems for students and administrators.

The specificity of some dress codes ("shirts should be buttoned from second button from top to last button at bottom"—**Shreveport, Louisiana;** "sideburns may be ½ of an inch below the bottom of the ear and be conventional in depth and form"—**Texarkana, Arkansas**) appears to have little to do with the educational process, but the unequal administration of other such codes is a matter of concern to some students. In **Selma, Alabama,** black students feel the code is more rigidly applied to them than to white students. For example, black girls were told not to wear hats, though white girls had been wearing them. And there is a limit to the length of afros for black males, but white boys can wear long hair.

At Murphy and Vigor High Schools in **Mobile Alabama,** white males may wear their hair in a ponytail, but black students may not plait theirs. Discrimination in the administration of the dress code was also reported in **Hattiesburg, Mississippi; Monroe, Louisiana,** and **Shreveport, Louisiana.**

Our monitor in **Texarkana, Arkansas** cited the dress code as one of the most serious problems in the school system. There, the code seems to apply equally to both black and white students. Black students have been forced to shave off their moustaches while white students have been taken to the cosmetology department where their hair has been cut.

Apparently everybody in the school administration can enforce the dress code and this has created a lot of confusion. One teacher may say nothing about a "violation" of the code, while another teacher may send the student home or to department heads or to the principal. The code is seen by some girls as discriminating against those who are poor and cannot afford the pants-suits allowed by the code. Girls who have worn slacks or jeans with a tuck-in blouse have been sent home under this rule because there is confusion as to what constitutes a pants-suit.

In **Savannah, Georgia,** a number of parents and students complained to our monitor that males are harassed for wearing hats in the hallways. According to one report a boy at Beach High was sprayed with Mace or another chemical for refusing to remove his cap when requested by a security guard. The dress code is apparently unwritten in **Birmingham, Alabama**, and this causes severe problems

for black students. One student leader at Phillips High School, who is identified as "black, aggressive and alert," was suspended for the rest of the year for wearing a hat.

Most districts were found to have some form of discipline code or code of student conduct. Some are promulgated at the district level while others are prepared by each school. There is no such districtwide set of student rules in **Texarkana, Arkansas,** or **Macon, Georgia,** or **Norfolk, Virginia,** where our monitor found the lack to be a major problem. In Norfolk, a student can apparently be disciplined for an action which is not known to be a violation of anything (an elementary student was suspended for three days for refusing to remove his coat in the classroom). Teachers or principals can make up the rules as they go, and consequently, it is easy for discipline to be misused.

The use of suspensions by principals was found to be a serious problem by practically all of our monitors. Suspensions appear to be used too extensively and with such frequency that their value as a disciplinary tool may be rapidly diminishing. In Florida, a state law provides that no student may be suspended for more than ten consecutive days. But there is no regulation concerning the maximum number of times a student may be suspended. If a student is suspended for 15 cumulative days in one semester, he automatically fails that semester.

For any unexcused absence in **St. Petersburg, Florida** (suspensions are counted as unexcused absences), a student receives a zero (the principal can waive this provision). In **Tampa, Florida,** a student loses three percentage points from his six-weeks report card for each unexcused absence. When a student has accumulated 15 unexcused days, his situation is reviewed by a committee of teachers and administrators before he is failed.

The 80,000- student St. Petersburg system has recorded the following number of suspensions since 1968:

1968-1969—3,500
1969-1970—5,500
1970-1971—8,200 (first year of significant desegregation)
1971-1972—4,100 (to January 1, 1972)

A highly placed administrator in St. Petersburg estimated there would be between 9,000 and 9,500 suspensions by the end of the school year. He said the average suspension is about five days. About 40 percent of the suspensions are at the junior high school level, and the rest at the senior high level. He estimated that perhaps half of the suspensions are for smoking or leaving the campus without permission. Many of the junior high school suspensions are for fighting. He also estimated that perhaps as many as half of the suspensions involve black students, even though only 16 percent of the students in the district are black.

Our monitor obtained the following information about suspensions for 1971-72 (to January 1, 1972) at specific schools in Pinellas County:

Dixie Hollins—543 (23 percent of student enrollment)

Boca Ciega—307 (13 percent of student enrollment)

Meadowlawn—136 (11 percent of student enrollment)

Tyrone Jr. High—84 (7 percent of student enrollment)

Two black teachers at Dixie Hollins told our monitor they were convinced that black students accounted for well over half of all students suspended. They said black students are suspended for longer periods than white students for the same alleged violations.

Suspensions are also a major problem in Tampa. By the end of December, 1970, 1,458 students had been suspended. But by the time students started their Christmas vacation in 1971, 2,697 students had been suspended. This was an increase from 1.4 percent of the total student enrollment in 1970 to 2.6 percent in 1971. Of the 463 suspensions in September, 1971, a total of 116 were for fighting, 35 for smoking, 120 for profanity and disobedience, 94 for miscellaneous offenses, 87 for truancy, eight for carrying a knife, and three for extortion.

Two black administrators in the Tampa system alleged that though the total black enrollment in the school system represents only 18 percent of all the students in the district, the suspensions of black students represent more than 50 percent of all the suspensions.

One of the administrators said that if you simply look at the action for which the student is suspended, the suspensions are warranted. For example, students who are suspended have been, in fact, fighting, using profanity, smoking, etc. The administrator went on to state his belief that many of these overt actions are caused by more subtle and less visible problems, such as the irrelevant curriculum, black students' not wanting to be at the school to which they are assigned, the loss of the black high schools last year, and exclusion from many activities—in other words, not really being a part of the school or having a stake in it.

From September to December 14, 1971, in **Norfolk, Virginia,** approximately 2,000 students were suspended and 59 were expelled. Of this number, 61 percent of the students suspended in the senior high schools were black, and 69 percent in the junior high schools were black. In 1970-71 there were 4,974 cases of suspensions and approximately 300 expulsions. At prestigious Maury High School, where 48 percent of the student enrollment is black, 96 percent of the suspensions involved black students. Dr. Jesse Allen, the Norfolk assistant superintendent for public personnel, attributes the high rate of suspension of black pupils to the fact that "we have some racist teachers." He also cited racial and social class

conflict which has become more visible since students have been brought together by desegregation.

In **Columbia, South Carolina,** 741 black students and 267 white students were suspended during the first three months of the 1971-1972 school term. Estimates of the suspensions in **Mobile, Alabama,** numbered between 300 and 350 during the first semester of the 1971-72 term. By the end of October, 1971, 198 black students and 95 white students had been suspended in **Raleigh, North Carolina.**

In **Charlotte, North Carolina,** last year there were 6,600 suspensions. By November, 1971, there had been almost 1,100 suspensions and school district staff have projected 4,000 to 4,500 suspensions by the end of the 1971-72 year.

Also, in 1970-71 in **Huntsville, Alabama,** 584 suspensions were recorded, with more than 2,000 school days lost as a result. At McClenaghan High School in **Florence, South Carolina,** 64 black students and 29 white students had been suspended by December of 1971, while 128 black students and 47 white students had been suspended at Wilson High School. The principal of a high school in **Rome, Georgia,** told his faculty that there had been more suspensions the first quarter of the 1971-1972 school year than there had been all of the previous year. A knowledgeable community person in **Nashville, Tennessee,** told our monitor that suspensions in that school system had increased 150 percent over the previous school year. The director of pupil personnel in **Jacksonville, Florida,** told our monitor that "lots of suspensions" occur at the junior high level, particularly the ninth grade. He said there are probably fewer suspensions in high schools.

Suspensions seem to vary from three to ten days in most school districts. But in **Montgomery, Alabama; Savannah, Georgia,** and **New Orleans, Louisiana,** a device known as "indefinite suspension" is used. Montgomery principals use it to avoid outright expulsion, but it is nearly the same. A student can return to school only when the principal decides to re-admit him. According to our monitor, indefinite suspensions "may last a semester, a year—or forever." In one case in Savannah, a student with a "surly attitude" was recommended for indefinite suspension.

Administrative hearings are held in most districts where students are recommended for indefinite suspension. The discipline code in **Shreveport, Louisiana,** provides that students who use tobacco, alcohol or profanity in the classroom, on campus or on a school bus will be suspended indefinitely. Indefinite suspensions also result from disobeying or threatening a teacher.

Suspensions can lead to expulsions in other ways. A Louisiana law states that after the fourth suspension a student must be expelled. It appears, however, that most principals bend the rule by simply failing to count past four when they think it is possible to rehabilitate a student.

At Rule High School in **Knoxville, Tennessee,** it is likely that if a student receives two suspensions within a six-week term, he will have missed five or six days, and there is a good possibility of failing all of his courses for that period.

Students told our monitor that many black students drop out because of the harassment they receive from some teachers and administrators and because of the futility of trying to make up their work. "Drop-outs, therefore, are, in reality, push-outs," the monitor commented.

Many school administrators maintain that they use suspensions in order to get parents to come to the school and talk about the discipline problems of their children. However, in **Texarkana, Arkansas,** our monitor found that suspensions for such a purpose can lead to expulsion simply because such a conference with parents is required for readmittance, and some black parents won't come to the school to see the principal as required.

Austin, Texas, students are sometimes suspended over and over again, and there, too, parents must come to the school before their child can be readmitted to the school. Because it is often difficult for poor minority parents to obtain transportation to the school or because they are afraid, their children stay out of school and are, in effect, expelled.

Students were found to receive suspensions for a wide range of offenses. A ninth grade black student at McClenaghan High School in **Florence, South Carolina,** was suspended for three days because she didn't respond with a "yes, ma'am" to a white teacher. When she returned to class the same thing happened again. This time the girl was transferred to another class.

Monitors in **Texarkana, Arkansas; Selma, Alabama; Montgomery, Alabama; Florence, South Carolina; Baton Rouge, Louisiana,** and **Jefferson County, Alabama,** reported that suspensions resulting from tardiness were frequent, especially for black students. Our **Nashville, Tennessee,** monitor felt that "the almost total lack of race relations awareness" on the part of the school system was the major cause of the suspensions there. In **Durham, North Carolina,** the monitor found that during the 1970-71 school year at Rogers-Herr Junior High School, large numbers of black students were suspended for relatively minor causes. According to our monitor, "It was clear that many of the white teachers could not relate to black students and often overreacted to situations in the school."

Savannah, Georgia, Superintendent Thord Marshall told our monitor that in 1970, he made a great effort to convince principals they should not use suspensions as a disciplinary tool since students lost invaluable time. This year, Superintendent Marshall urged principals to "suspend freely" and consequently there have been more suspensions than ever before. The superintendent's change of policy was summed up in his statement that "if they (principals) suspend these leaders, they (students) won't have anyone to lead them out."

Other reasons for suspensions reported by the various monitors were: misbehaving in class, walking out of class without permission, fighting, failure to stay in for teacher, extortion, cutting classes, possession of drugs, willful disobedience, disrespect for teachers and administrative personnel, defacing school

property, violating traffic and safety regulations, leaving the school campus without a permit, carrying a weapon, breaking in lunch line, smoking or using alcohol on campus, cheating, stealing. Of course, as previously indicated, most school districts give arbitrary powers of suspension to the administrators of individual schools without specifically spelling out for what offenses a student may be suspended. Probably as many reasons exist for suspension, as there are teachers and students in a school, and it is clear that subjectivity plays an important role in the consideration of what kind of behavior does or does not warrant a suspension.

So many students have been suspended and expelled that some administrators now believe the only way to deal with disruptive students is to establish an alternative school for them within the school system.

In **Little Rock, Arkansas,** there is an "adjustment facility" where suspended students may spend from three to ten days in half-day sessions. This special school, called Gateway, is funded by ESAP and had an all-black student enrollment when visited by our monitor. The district has also opened another facility, the Opportunity School, for 120 students who for some reason have met with failure in the system. Some of the students have been suspended; others are passive students, or have behavioral problems. Principals, teachers, parents, and local agencies refer students to the school which "will not admit students below normal intelligence or those who have had overt trouble with the law." Students are expected to stay in the school for about a semester. The school is also funded by ESAP and has an all-black student enrollment. Entry into both the Gateway and Opportunity School is voluntary.

Savannah, Georgia, lacks such a facility but apparently uses its vocational school for the same purpose. One school official explained to our monitor that students with disciplinary problems are often sent to the vocational school "to work out their frustrations with their hands." The **Norfolk, Virginia,** school district hopes to secure funds from Model Cities to operate a "transitional school" for suspended and expelled students. The **St. Petersburg, Florida** system may try to get some funds from the Law Enforcement Assistance Administration to establish a similar school, and the **Columbia, South Carolina** system is developing plans for such a school. The Continuous Learning Center in **Mobile, Alabama,** which is only one year old, has already found that students have been quick to place negative labels on it. According to our monitor, "Students label it a 'thug' school, a do-what-you-please school, a gambling den." The school is now 86 percent black.

Black dropouts are another problem in desegregating school systems. This year, 17 percent of the eligible students who last year attended the all-black, now-closed Anderson High School in **Austin, Texas,** did not return to their new schools. Another 5 percent of the former Anderson students dropped out by January. The administration promised last November to set up an attrition prevention program, including a campus review board and adjustment counseling

for both suspension and drop-out cases. But sources in the black community and the black school board member feel that they are moving too slowly.

POLICE IN THE SCHOOLS

Our monitors found that school administrators are increasingly using law enforcement personnel as aides in controlling students who are dissident, disruptive, dangerous or just different (the distinctions are not always clear to all administrators).

In **Mobile, Alabama,** our monitor observed that the school officials "seem to have delegated their job of disciplining to the police." At Vigor High School, there have been allegations of police brutality from the Prichard Branch of the NAACP and other community groups which have demanded police protection and the cessation of police brutality. Two black teachers at Vigor were arrested when they attempted to intervene on behalf of students in a student-police confrontation.

When **Selma, Alabama,** black students were meeting at the school to discuss grievances and draw up demands to submit to the school administration, police were brought in. Students at J. T. Moore Junior High School in **Nashville, Tennessee,** reported they were being intimidated by a black security guard who was threatening to turn them over to the police. Many school systems have a policy that police are to come to school only upon the principal's request. But in **Little Rock, Arkansas,** our monitor found that "in practice, regular visits are made to potential trouble spots," and in **Huntsville, Alabama,** police are "in much evidence around high school campuses" though they are not stationed in the schools themselves. **Norfolk, Virginia,** used police officers on school buses for the first few months of school. Students in **Austin, Texas,** and **Columbia, South Carolina,** reported that police maintained a presence in or association with those schools where there had been student protests or conflict sometimes even after the immediate threat of disruption was over.

The **Savannah, Georgia,** school system spends $18,000 a month for a force of 35 armed security guards who maintain a presence in the halls of some schools. Students and parents told our monitor that pupils are harassed by guards for hall passes and that the presence of the guards generally causes antagonism and tension. Two or three guards are assigned to each school. They are armed with loaded hand-guns and tear gas or other chemical sprays. Not all of the schools have guards, however. The respective principals and the superintendent use their "sixth sense" to tell them which schools do not need them. Usually this means those schools which have had no fist-fights.

Little action has been taken in Savannah against white parents and other white outsiders who have flocked to the campuses every time there was a rumor

of a racial incident. According to students and school officials, white adults have instigated most of the problems. A school official said that one reason for the armed guards was to protect black students from white parents. But students say guards and police have done little to discourage harassment.

Until last January, 1972, the **St. Petersburg, Florida,** school system had an all-white, 24-member School Security Patrol. One black officer has since been added. Members of the School Security Patrol are deputized under state law. They can make arrests of anybody on any school campus; they carry guns in the schools, and they work mainly in junior and senior high schools. The guards patrol halls during school hours when trouble is "suspected" or when the school district is "having trouble." They also patrol schools at night to prevent vandalism. The security guards are paid from local money. There are more of them in the schools this year than last.

There seems to be a consensus among the black community in St. Petersburg that these guards have too much authority. They are viewed with considerable suspicion and dislike by black students. Because of the insistence of white parents, the school system is also using policemen in conjunction with the security guards.

At Tara High School in **Baton Rouge, Louisiana,** where a considerable amount of student conflict has occurred, police have patrolled the halls carrying nightsticks. In early January, when black students demonstrated outside the school, the principal followed the district policy of requesting police to come to the school area (but not on campus) on a "stand-by" basis. That policy provides that the police are to come on campus only after the principal has called the superintendent after the first outbreak of trouble.

Also in keeping with the district policy, the principal three times ordered the demonstrating students to return to class. Of the 125 students participating in the demonstration, all but 35 returned. Those 35 walked to the Valley Park Continuing Education Center. They were followed by a police helicopter and three police cruisers, and were told by the officer in charge that they weren't to return to school since they had refused to return to class when ordered. In the eyes of the students this placed the police in the role of school disciplinarian.

Police and plainclothesmen have been stationed on the campus and in the schools in **New Orleans, Louisiana,** many of them twirling nightsticks as they patrol the halls. The school system has also hired—on more than one occasion—a private police force to patrol school halls and grounds. In 1970-71 they were called into racially tense Fortier High School. This year, at the request of the white district superintendent, they patrol all-black Priestly Junior High. The men carry loaded guns on their hips, as well as nightsticks, despite the principals' objection to the guns. The mayor of **Macon, Georgia,** placed police in the high schools of that district following several violent student conflicts, and the school board publicly objected.

VI

BLACK TEACHERS AND ADMINISTRATORS

Throughout the dark days of segregation in the South the education profession was one of the few in which black people could find meaningful work as well as status. Black principals and teachers had the education and relative economic security which frequently thrust them into leadership positions in the black community. These educators were also in key positions to influence and encourage black youth who otherwise had few models of success. For all of these reasons the black education professional has been an important figure in the development and survival of the black community.

This section is concerned with black teachers and administrators because in many places in the South the status and future of black educators has been insecure since the beginning of desegregation. There is a widespread concern in the black community that unless the education profession is made attractive and promising to young people—particularly now when teaching is no longer one of the few professions open to blacks—there will be fewer and fewer black teachers and administrators in coming years. If the present black teachers and administrators are subject to administrative dictates which are racially motivated, if their positions are callously downgraded or if the opportunities for advancement within the education profession suddenly become limited, then young people will no longer see teaching as a worthy and promising position which has real status in the community. Too, there is concern that without black models in the classroom black children will find it difficult to relate to the education that is offered there or to retain their identity within an integrated setting. Without black teachers and administrators there can be no meaningful integration even when black and white children are in the same classroom.

HIRING AND RECRUITING

In many of the districts monitored, including **Selma, Alabama; Forrest City, Little Rock, Texarkana** and **West Memphis, Arkansas; Atlanta** and **Rome, Georgia;**

Monroe, Louisiana; Greenville, Hattiesburg and **Jackson, Mississippi; Durham** and **Raleigh, North Carolina; Charleston, Orangeburg** and **Richland #1 (Columbia), South Carolina; Beaumont, Texas; Memphis, Tennessee,** and **Norfolk, Virginia,** the district-wide black-white faculty ratios vary 10% or more from the overall black-white student ratios. In **Shreveport, Louisiana,** the black faculty ratio is about 9% less than the black student ratio; and in **Montgomery, Alabama; Florence, South Carolina,** and **Texarkana, Texas,** the black faculty ratio deviates from the black student ratio by about 7%.

In some of these districts, such as **Montgomery,** and **Selma, Alabama; Little Rock, Arkansas; Atlanta,** and **Rome, Georgia; Monroe, New Orleans,** and **Shreveport, Louisiana; Hattiesburg, Mississippi; Durham, North Carolina; Charleston,** and **Florence, South Carolina,** and **Beaumont, Texas,** *Singleton* guidelines for faculty desegregation are not being adequately met. Monitors in many districts whose faculty ratios approximate their student ratios also reported *Singleton* noncompliance. **Huntsville, Alabama; Jefferson County, Alabama; Jacksonville, Florida; East Baton Rouge, Louisiana; Greensboro, North Carolina,** and **Knoxville, Tennessee,** continue to maintain schools with racially imbalanced faculties.

In an alarming number of districts, monitors found that the overall percentage of black teachers is actually on the decline. The trend is most pronounced and ominous in districts that presently have district-wide faculty ratios that vary considerably from their student ratios. In **Hattiesburg, Mississippi,** for example, the percentage of black faculty has decreased from 37.7 percent (125) teachers in 1968 to 30.7 percent (101) teachers in 1971. During the same period, black student enrollment increased from 44.6 percent to 46.4 percent of the total student enrollment.

Hiring methods and recruitment procedures that are at best inadequate and at worst racist often prevail in districts where the erosion of black faculty is a problem.

In **Texarkana, Arkansas,** the decrease in the number and percentage of black faculty from 22 percent to 19 percent between 1970 and 1971 (black student enrollment is 31 percent) is the result of hiring practices. Only nine new black professional staff members were hired during the last two years (7.5 percent of the total) whereas 111 new whites in the same category were hired. The superintendent acknowledged that the district neither recruits on the basis of race nor visits colleges for recruitment purposes. When there is a need for a math, English, or elementary school teacher, the superintendent, assistant superintendent, or director of personnel calls one of the colleges "that we do business with and lets them know what we are looking for." The district recruits through the teacher placement programs at five Arkansas colleges that are all formerly all-white, except for formerly all-black (and still majority black) Arkansas AM&N, which is being phased out under a reorganization plan.

The erosion of black faculty is also occurring in **Montgomery** and **Selma, Alabama; Little Rock, Arkansas; Rome, Georgia; Monroe, Louisiana;**[1] **Durham, North Carolina; Charleston** and **Florence, South Carolina,** and **Memphis, Tennessee.** In Montgomery, the disproportionate number of new white teachers hired has decreased the percentage of black faculty. During the last two years, 418 new white teachers, but only 52 new black teachers (11.1 percent of the total) were hired. Consequently, the percentage of black faculty decreased from 43.3 percent in 1970 to 39 percent in 1971. Although the superintendent claims that black and white teachers are recruited at both black and white colleges, no one at the local black schools (Alabama State, Miles, Tuskegee) has had requests for appointments from the Montgomery system in the past year.

In **Durham,** the school administration's lack of commitment to securing black teachers is reflected in the recruiting "effort." This effort has consistently been a failure, with the same two people going on recruiting efforts without success. Another problem is the preferential hiring of students' wives from the University of North Carolina and Duke University to teach in the system for short periods. Although the district requires the National Teachers' Examination for hiring purposes, exceptions are often made for student wives who are allowed to take the examination later. Meanwhile, the NTE requirement is a drawback for black applicants. The present black faculty is 49 percent as compared with the student ratio of 65 percent. Of the 43 new teachers hired this year, only nine (20 percent) are black. The administration's stated rationale was that blacks had not applied for positions as teachers. However, it came to our monitor's attention that a secretary or receptionist for the superintendent of personnel was telling prospective black applicants that there were no openings and that there was no reason for applicants to file applications. The monitor corroborated this report by sending a test case to apply. When it was brought to his attention, the superintendent said that it would not happen again. **Durham** failed to win approval of its ESAP proposal because of non-compliance with *Singleton*. HEW cited Durham High, where school officials proposed trading the entire home economics department with Hillside High's home economics department in an attempt to avoid hiring more black teachers, as an example of non-compliance. Another example reported by the monitor involved the replacement of three black teachers who left the Fayetteville Street School prior to the opening of the 1971-72 school year. They were replaced by three white teachers, although the principal specifically requested black teachers and gave names of teachers whom he knew were available for employment.

In **Florence, South Carolina,** the original teacher ratio of 35 percent black/65 percent white has been criticized from the beginning by black community leaders

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[1] *In Monroe, Louisiana, where only 20% of the new teachers hired this year were black, the black faculty ratio has been reduced from 46% to 43% while the student ratio has increased from 54% to 56%. Community sources report that black teachers are tricked into resigning for "stupid reasons" and are replaced with whites when they resign.*

as too low—student enrollment is 41 percent black. Despite cries for more black teachers, the ratio of black teachers has been reduced to 34 percent while the student ratio has remained constant. The reduction has resulted from hiring white teachers both to fill new positions and to replace black faculty who have retired or left the district. Moreover, the superintendent issued a press release on October 20, 1971, stating that the "integration plan requires that the faculty be 32 percent black." Although 109 new teachers were hired in 1971, only 21 (19.2 percent) were black. The superintendent, mentioning low NTE scores, said that many black teachers were not qualified and that the better black teachers go North. When an HEW compliance review team visited Florence in December, 1971, the superintendent told them that the number of prospective black teachers was decreasing and that the decrease justified a reduction in the percentage of black faculty. In fact, Florence recruits black teachers on only six predominantly black campuses and white teachers on 21 predominantly white campuses. Florence does not even recruit teachers at the nearest black college, Morris. As a result of its findings, HEW has instructed Florence to form a biracial recruiting team, indicate on the district's letterhead that it is an Equal Opportunity Employer, and recruit black teachers in and out of state.

In **Memphis, Tennessee,** which sends bi-racial teams across the South to recruit teachers, a black recruiter alleged that the personnel department is racist and that the recruitment is more of a show than a sincere search for qualified teachers. In addition, our monitor reported that qualified black graduates of LeMoyne Owen College in Memphis are sometimes denied jobs. Although the black student ratio is 53.6 percent, many black teachers believe that the personnel department is determined to maintain a 60-40 percent white teacher majority. Since 1968, the black teacher ratio has been reduced from 44.8 percent to 41.4 percent. A group of black teachers is contemplating a class action suit against the Memphis school board and superintendent for discrimination against blacks in administering the district's NTE policy. Prior to 1960, the NTE was not required for employment. A policy adopted in April 1960 required that teachers file results of their NTE tests as a condition of employment. In 1965, the district revised its policy to require a composite score of 1,000, or a score of 500 on the common portion of the NTE, as a prerequisite for employment. Applicants with composite scores between 425 and 499 could be provisionally employed but were required to file their score in order to be eligible for tenure. In February of 1972 the board of education eliminated the cut-off score requirement for tenure. However none of the potential plaintiffs has been rehired. Potential plaintiffs in the suit contend that a substantially disproportionate number of black teachers and applicants are refused employment or are not retained by the school board because of the NTE policy than are white teachers and applicants. Potential plaintiffs claimed that use of the NTE to deprive teachers of employment is arbitrary and unreasonable because the NTE is not a measure of potential effectiveness as a teacher,

is not reasonably calculated to determine the competence of blacks as teachers, and serves no other genuine educational goal.

In **Savannah, Georgia,** although the percentage of black teachers has increased between 1968 and 1971 because of the loss of white students and teachers, the district has actually lost 46 black teachers while gaining 746 black students. White teachers have also fled the public schools in **Orangeburg, South Carolina,** but the superintendent has hired more new white teachers than blacks to compensate. In 1969-1971, there were 50 new black teachers (38.8 percent of the total) and 79 new white teachers. The result of hiring policies has been that, while blacks have constituted a majority of the student enrollment (67 percent in 1971) for three years, teachers have not yet caught up (54.6 percent in 1971). Black teachers are predicting that dismissals will become an issue the next time contracts go out. The superintendent told the monitor that he had a "surplus of black teachers." In November, the principal of Ellis Elementary told teachers that 27 teachers—all on the elementary level—would have to be released at the end of the year, presumably because of the declining enrollment. They expect some to be weeded out through the current "evaluation," which was implemented this fall without much explanation. All the teachers really know is that they are being evaluated on the basis of the NTE scores and observations by their principals. (The principal sits in on the class and that one visit is the sum of his experience with their teaching methods.) They know they will receive a form evaluating their "weak" points, and they will have a conference on the subject with the principal or officials, but they have no idea if this could lead to failure to renew their contracts. A white principal described the project as "a way to get rid of poor teachers in the district."

A recently initiated teacher evaluation in **Macon, Georgia** is also a source of growing controversy. Many black teachers feel that a combination of the budget deficit and teacher evaluations will provide the necessary rationale for a teacher cut-off and that the majority of those dismissed will be black.

Inadequate recruitment and hiring procedures are by no means unique to districts where the decline of black teachers has been heaviest. Several districts where the faculty ratio is holding its own but is still out of line with the student ratio also reported problems in those areas. In **Forrest City, Arkansas,** community sources charge that some white teachers without degrees are employed on a full-time basis, while no black teacher is hired on a full-time basis without at least one degree. They also charge that there is an attempt to discourage the employment of blacks—no recruiting is done at the only state-supported black college.

In **New Orleans, Louisiana,** the NTE is required for employment and is one of the requirements for promotion. Although New Orleans has a college recruitment program, only eight black colleges, compared with thirty-one white colleges, are visited. The district also uses a booklet for recruitment purposes described by our monitor as "white-oriented" to say the least. A similar brochure to recruit teachers

for **Columbia, South Carolina,** was just printed and is a very good idea, according to our monitor. But he also noted that "on the front cover is a white teacher with two white students; if the object is to recruit more black teachers, this brochure won't do." To Columbia's credit, however, is the fact that a black recruiter visits 25 black colleges to recruit teachers. Also, a slightly higher percentage of blacks are hired than apply. In **Texarkana, Texas,** where black faculty and student ratios (students—27 percent in 1970, 28 percent in 1971; faculty—21 percent both years) have remained constant for the past two years, only 7.2 percent of the total number of teachers hired in the last three years were black. No blacks were hired in 1969, four in 1970, and six in 1971. During the same period, 128 white teachers were hired. When our monitor asked the superintendent whether the new hirings were in line with HEW's December, 1969, criticism of the district's failure to recruit and hire any minority teachers, the superintendent responded that HEW had never raised a question with the school administration about its hiring policies.

In some of the districts monitored, desegregation has had a *de facto,* if not publicly acknowledged, impact on hiring and recruiting practices. In **Jefferson County, Alabama,** and **Birmingham, Alabama,** for example, consideration of race is not acknowledged as public policy, but is obviously a key factor in maintaining existing district-wide faculty racial balance. Our monitor in **Greenville, Mississippi,** reported that the district has interpreted *Singleton* to mean locking in an inadequate 45 percent black faculty (black student ratio is 65.7 percent) and has recruited accordingly. In **Knoxville, Tennessee,** the personnel department reported that they give preference to black teacher applicants. In **Hillsborough County (Tampa), Florida,** which established a "quota" hiring policy before desegregation to maintain equal student/teacher ratios, school officials said that when a vacancy occurs they designate it as either black or white in an attempt to preserve the current black teacher ratio. Examples of an announced policy of hiring on the basis of race to maintain *Singleton* ratios were also reported in **Jacksonville, Orange County,** and **Pinellas County (St. Petersburg), Florida.** Also, the NTE is not required in any Florida school districts. The state legislature threw it out some years before because black and white college graduates were having trouble passing it.

In **Richmond, Virginia,** maintaining the court-ordered 50 - 50 *Singleton* ratio meant hiring more whites than blacks this year. When the Richmond City schools annexed a portion of the county school district, a number of white teachers resigned and the overall black-white faculty ratio showed an increase in the percentage of black teachers. Because white students left the system in substantial numbers, there was a teacher surplus. Surplus teachers were either used to replace county teachers, were hired as school-community coordinators with ESAP money, or were otherwise absorbed into the system. As the number of white teachers declined, the overall ratio reflected a greater percentage of blacks. Therefore, more whites than blacks were hired.

Recruitment of black teachers varies tremendously from district to district. In some districts, such as **Little Rock, Arkansas,** and **Texarkana, Texas,** there is no active recruitment of black teachers. In many districts, such as **Montgomery, Alabama; Florence, South Carolina; Durham, North Carolina,** and **Memphis, Tennessee,** black recruitment procedures are woefully inadequate. In other districts, such as **East Baton Rouge,** and **New Orleans, Louisiana, Raleigh, North Carolina,** and **Columbia, South Carolina,** recruitment programs are better, but still do not meet the needs of the district. In some districts, more intensive black recruitment efforts were reported. In **St. Petersburg, Florida,** officials reported that they go disproportionately to black colleges to compensate for their small number of black applicants. Other strong recruitment efforts were reported in **Tampa,** and **Orange County, Florida,** and **Shreveport, Louisiana.**

Intensified efforts to recruit Chicano teachers this year were reported in **Austin** and **Houston, Texas.** In Austin 49 new Chicano teachers were hired (11.3 percent of new teachers). Although Chicanos still make up only 9.5 percent of the faculty and 20.7 percent of the students, the new hirings represent a substantial gain from last year's 2.9 percent faculty ratio. Stepped-up recruitment in Houston has brought a jump in two years from 181 to 312 Chicano teachers. However, only three percent of the Houston teachers are Chicano compared with 16 percent of the students.

ASSIGNMENTS, DEMOTIONS, AND DISMISSALS

Mistreatment of black faculty, particularly in the areas of placement, demotions, and dismissals, was frequently observed in the districts monitored. In many districts, implementation of faculty desegregation standards has discriminated against black teachers. In **East Baton Rouge, Louisiana,** where teacher placement is a focal point of concern in the black community, contacts feel that blacks lost out when teacher crossovers were worked out. In East Baton Rouge, as in **Durham,** and **Raleigh, North Carolina,** and **Austin, Texas,** students' wives who teach for a few years while their husbands attend local universities account for a large percentage of the white teachers. Black teachers tend to have a high average of number of years experience. So, when transfers were determined on the basis of seniority, experienced black teachers were transferred out of black schools in great numbers, and replaced by inexperienced teachers.

When faculty desegregation was implemented in **Mobile, Alabama,** black teachers were forced to transfer to white schools or face demotions, while white teachers had an option. Black teachers who could not adjust to the "integrated process" were dismissed rather than being allowed to transfer. Similarly, in **New Orleans, Louisiana,** sources in the black community reported that if black teachers refused a crossover assignment, they were fired, while white teachers who would not go to an assigned school were reassigned. Also, it was reported that if white teachers had problems in black schools they were allowed to leave.

In some districts, crossovers were chosen by a lottery method. Unfair lottery procedures were alleged in **Orange County, Florida,** where blacks believe that the

names of certain white teachers, especially experienced ones, were withheld from the pool. At the time of the lottery, black principals objected because they had no voice in the assignment of white teachers to their schools. In **Knoxville, Tennessee,** the lottery was not merely a chance affair; the names of the teachers who participated in the lottery were determined in advance by the personnel office and principals. As a result, all of the black math, English, and social studies teachers at Vine Junior High School were replaced by white teachers. Black teachers were left in the areas of physical education, library, special education, and vocational training. In districts where remaining black schools have been deprived of their best teachers, the black community is especially perturbed with the results of faculty desegregation. Community people and white teachers in **Jefferson County, Alabama,** feel that the most competent black teachers have been placed in predominantly white schools and the most inexperienced and/or incompetent white teachers have been placed in black schools. The black students who are left in the remaining black schools feel that their strongest black images have been removed.

In **New Orleans,** a black district superintendent said that implementation of the faculty desegregation plan by the personnel department resulted in sending the better black teachers to white schools and the less desirable white teachers to black schools. The assistant superintendent of personnel acknowledged they had sent young, inexperienced white teachers who could not cope with black students to black schools.

While **Beaumont, Texas,** has made no serious effort to comply with *Singleton* requirements, some cross-over assignments have been made in anticipation of an eventual order to comply. Assignment of white teachers to black schools has occurred only in the case of new teachers or upon request for such reassignment. The black community feels, however, that some of its most qualified teachers have been transferred to predominantly white schools because the administration feels they are "too good to waste" on an all-black student body. For example, an outstanding science teacher in the black high school, after being named teacher of the year in Beaumont, was transferred to the 78 percent-white high school. A superior art teacher, whose students at the all-black high school had received national and state awards, was moved to a white junior high school when the art teacher there (with a far less distinguished record) moved up to the white high school to replace another white there who had been appointed supervisor.

It is clear that the likelihood of problems with crossovers increases not only in districts where the school officials do not implement it properly, but also in districts which continue to maintain segregated schools. Low district-wide faculty ratios also almost inevitably mean that blacks lose some strong teachers in exchange for inexperienced ones.

All of these factors are present in **Orange County, Florida,** which has the worst

crossover situation we found. Our monitor reported that the incompetent, inexperienced, or emotionally unstable white teacher in a majority black school is a major problem in the schools and is of great concern to black parents. It was also reported that black children in Orange County "lost a year" not only because some white teachers were inexperienced and incompetent, but because white teachers were angry and not psychologically prepared for the shift. White teachers were frightened. Some black children suffered unbelievable abuse by white teachers. One black teacher reported taking to the superintendent a black child whose chest had been scratched by the fingernails of a white teacher. Some white teachers refused to teach. Our monitor was told about a teacher who ran films all semester and was later promoted to the position of "supervisory teacher."

Houston, Texas, is another district where *Singleton* is a big issue. Although the issues surrounding *Singleton* in Houston are complex, it is clear that the attempt of the district to implement faculty desegregation without any meaningful school desegregation has been one source of concern. Under the present plan, nearly all black children attend black schools and are taught by a majority of white teachers (the black-white faculty ratio is 66/33 percent). Among other things, opponents of the present implementation of *Singleton* feel strongly that it deprives black students of most of their models, is damaging to the development of black consciousness, and allows inexperienced and frightened white female teachers to refuse to share extra-curricular sponsorship roles and escape the ghetto as early as possible.

In many districts, *Singleton* requirements for "non-racial and objective criteria for teacher demotions and dismissals" are either being blatantly violated or are failing to provide adequate protection for black teachers. Black teachers in **Monroe, Louisiana,** stated that they no longer teach advanced courses in their fields. For example, a black math teacher formerly taught algebra and geometry in a segregated situation, but is now teaching basic math and arithmetic in an integrated situation. Cases of blacks teaching at a lower level or outside their fields of concentration were also reported in **Jefferson County, Alabama, Raleigh, North Carolina,** and **Florence, South Carolina.** Prior to desegregation, Hillside High School in **Durham, North Carolina,** had 72 black teachers, and Durham High School had 73 white teachers. Now they have a total of 56 black teachers between them. This loss of 16 black teachers on the senior high school level was brought about by the demotion of these teachers to a lower grade level.

Unfair dismissals of black teachers has been a problem area in many districts. In **Orange County, Florida,** since the time of the crossover, some black teachers have been encouraged to retire early. Our monitor also reported that where dismissals or forced resignations have occurred, more stringent standards have been applied to blacks. If a teacher has been reported to be incompetent, central staff members visit and observe his performance. Black informants believe that incom-

petent whites are provided in-service assistance or are reassigned. When a large number of complaints had been registered about white staff members at Holden, 34 supervisors were sent from the central administration. Fourteen teachers were judged incompetent, but four were permitted to stay in the system. Yet blacks judged incompetent are usually asked to resign or are dismissed. One black teacher who set a white child firmly in his seat was summarily dismissed after 20 years of teaching experience. Qualified blacks are not getting tenure in certain predominantly white schools in **Orange County.** No blacks received tenure at Lake Silver. Our monitor also reported that black teachers frequently exposed to racial slurs and personal humiliations often feel barely tolerated in the predominately white schools and keep to themselves. Dover Shores and Lake Silver elementary schools were mentioned as the elementary schools where black teachers are having the most problems. The principal at Dover Shores reportedly ridiculed and downgraded a black teacher who is an expert in dealing with slow learners. Black community leaders are concerned that more black teachers have not fought the discrimination which they have encountered. Our monitor was told that when some teachers threatened legal action, pressure against them lessened.

A black teacher at Rogers-Herr Junior High School in **Durham, North Carolina,** was fired because several white parents had complained about her incompetence. This teacher had taught for over 28 years at an all-black school and had less than two years before retirement. A white teacher who was previously in the same situation (the same parent made the complaint) was afforded the opportunity to transfer to a non-teaching position until retirement. Also, several black teachers in Durham have been placed on probation for the 1971-72 school year for being too outspoken in protecting students who were sent home *en mass.*

A black teacher at Broadmoor Senior High School in **East Baton Rouge, Louisiana,** was dismissed on the grounds that she was not following the prescribed curriculum. There is strong feeling that the teacher, described by black people as "brilliant" and "creative" was unpopular with fellow faculty and the principal because she is married to a white man and because she used "unorthodox" methods which made her enormously popular with her all-white classes. The principal of Broadmoor, in his interview with our monitor, implied that he feels the standards of "his" school—which sends 95 percent of its graduates to college—had gone down since the influx of black faculty members. Another black teacher who was repeatedly observed, supervised, and criticized ultimately requested a leave of absence. In several other cases in which black teachers were being harassed, the Louisiana Education Agency was instrumental in helping them obtain transfers.

In **Macon, Georgia,** a black teacher whose contract was not renewed actively resisted her firing. She was accused of being a Communist because she compared Lt. Calley to Angela Davis. This was blown out of proportion by the local press and radio stations. However, the black student support she received forced the board to reconsider its decision. Her contract was eventually renewed one week

prior to her departure for Africa. Although her departure brought on a negative response from a local radio station, it is felt that her act of resistance will provide a reference point for others who find themselves in similar situations. In **Forrest City, Arkansas,** two of three black teachers who were dismissed because of civil rights activity have filed suit against the district.

In **Texarkana, Arkansas,** where the downgrading of black personnel as a result of desegregation is a serious issue in the black community, all of the top black personnel—principals, counselors, coaches, band directors—have, in the eyes of the community, been demoted. When the black high school was closed, all of the black head coaches were downgraded to assistants to white head coaches in the integrated high schools. The black band director was also demoted to an assistant to a white director and finally retired from the school system. The example of the band director's demotion makes a relevant point about the validity of criteria used to downgrade a teacher when there are two teachers qualified and only one position available. Although the superintendent said that the qualifications of each individual were considered in making such decisions, it is obvious that school officials look only at the paper qualifications and give little or no credit for on-the-job experience. People in the black community said that traditionally, black teachers have done what needed to be done. For example, if the black community collected enough money to purchase band uniforms, they would then tell the black principal that they needed a band director. The principal would either appoint a teacher or a teacher would volunteer to be the band director. This teacher probably didn't know the first thing about directing a band, but he learned over the years; and after ten or fifteen years finally ended up with a band that won district, regional, and state championships. People in the black community feel that while the school board and officials gave the band director all kinds of honors when he was at the black school, they considered him unqualified to direct an integrated band and made him an assistant to a white teacher who has only two years' experience but has a major in band direction. A similar pattern of demotion was reported for the athletic coaches—football, basketball, and track. Other demotions of black band directors resulting from desegregation were reported in **Forrest City, Arkansas,** and **Tampa, Florida.**

Similarly, in **Raleigh, North Carolina,** every black authority figure at Ligon High School, a formerly all-black high school, has been demoted either by remaining at Ligon when it became a junior high school or by going to a white school at a lower status. For example, the head football coach at Ligon last year is the assistant coach at Broughton High School this year, in spite of the fact that the school system simultaneously hired a new, white football coach at Sanderson High School this year. Moreover, the demoted black coach has superior qualifications to this new coach. In **Jefferson County, Alabama,** all blacks who had been head coaches in segregated situations were demoted to assistant coaches when they were transferred to predominantly white schools.

Other demotions of coaches were reported in **Little Rock, Arkansas; Forrest City, Arkansas; Hattiesburg, Mississippi; Tampa, Florida;** and **St. Petersburg, Florida.** In St. Petersburg prior to desegregation, there was an association for black referees and umpires. Now there are no black referees at senior high football and basketball games; there are black referees at junior high and junior varsity events only.

In St. Petersburg, the main complaint about faculty demotions since desegregation concerned black department heads. As the result of transfers of black department heads from formerly black schools to white schools, there are now only two black department heads in the entire system, and both of them are home economic heads at senior high schools.

Before desegregation, the black head of the English department at Gibbs High School in St. Petersburg was a female teacher with a master's degree, several hours of post-master's education and over twenty years' experience as department head. Black students, teachers, and community people described her as a proud symbol to the black community. Just before this school year, she was informed that she was going to be transferred to Dixie Hollins High School as a regular English teacher. Despite intensive efforts on her part to retain her position, her attorney finally received a letter from the school board which explained why her transfer was not illegal. Most (13 percent) of the black teachers in St. Petersburg's Gibbs High School had to be transferred to white schools to bring the district into compliance with *Singleton*. Also, since department heads are annual appointments decided upon by the principal, there was no guarantee that the white principal at Dixie Hollins would **not** name her as department head. In other words, she had no option but to go to Dixie, where she is now a regular classroom teacher. Similarly, there are now no black department heads in **Tampa, Florida.** During the first year of school desegregation, department heads were exempt from transfer, but during the second year, many black department heads were transferred. Since all remaining black high schools were downgraded and department heads exist only at the senior high level, all black department heads were demoted, whether or not they were transferred. In **Selma, Alabama,** all black department heads at the black high school were demoted as a result of desegregation.

Since the ratio of teachers in **Tampa, Florida,** is 80 percent white - 20 percent black, implementation of *Singleton* required a massive transfer of black teachers. In districts such as **Tampa** and **St. Petersburg,** which have a much lower percentage of black teachers than white, the chances are mathematically very good that, even if crossover procedures are implemented fairly, most, if not all of the top blacks, like department heads or head coaches, will have to go.

PRINCIPALS

In many of the districts monitored, demotions of black principals subsequent to desegregation were reported. Occasionally, as mentioned earlier, they were transferred to new or already-existing administrative positions that are viewed as demotions in terms of prestige, if not in terms of pay, by the black community.

In 1970-71, at least ten black principals of formerly all-black schools in **Jefferson County, Alabama,** were demoted to assistant principalships. In addition to these demotions, one demotion of a black principal to a classroom teacher and two to supervisors were reported. Both of these positions, Supervisor of Maintenance and Neighborhood Youth Corps Coordinator, were positions created subsequent to desegregation and do not have as much responsibility as principalships.

In **Texarkana, Arkansas,** which had four black principals before the schools were desegregated, there are now no black principals in the system. Two principals retired, one was made an assistant principal at a junior high school, and the other is the Director of the Follow-Through Program, which is operated by the school system in co-operation with the Model Cities Program. All of the retirements and demotions took place as each black school was phased out. **Hattiesburg, Mississippi,** which now has five black principals, has lost three black principals since 1968. All three of the principals were demoted, two became supervisors and one became an assistant principal.

In **Huntsville, Alabama,** which had three black principals in 1968, there is now only one black principal. One of the principals was demoted to an assistant principalship, and another became a director of the EIP program.

The only black high school principal in **Selma, Alabama** was demoted to an elementary school principalship, and the vice-principal of the black high school was demoted to an administrative assistant at another high school. A black elementary school principal was demoted to Title I coordinator.

When Murray Hill Elementary School in **Charleston, South Carolina,** was closed in 1969 and most of its students transferred to Dorchester Terrace, the principal was transferred with them as assistant principal. Also, the principal of Corbett Edwards Elementary was made assistant principal at Chicora High when Edwards was closed last summer. One of the black principals in **Rome, Georgia,** was demoted to "Visiting Teacher" in the central office, and another was demoted to a junior high school principalship. Demotions of black principals resulting from school desegregation were also reported in **Birmingham** and **Selma, Alabama; Forrest City** and **Little Rock, Arkansas; Jacksonville, Florida;** and **Hattiesburg, Mississippi.**

In **Orange County, Florida,** the black staff person who is called the "troubleshooter" was formerly assistant principal at Jones Senior High School, then principal at Wheatley Elementary, and at Drew. When his last school closed, he was

transferred to this position, which blacks consider a demotion. His role seems to be limited to maintaining discipline. A new category, "supervising principal", has been created since staff integration in Orange County, apparently as a device to prevent appointing good black administrators to top principalships or to really responsible positions in central administration. The only supervising principals are black and have no clear job responsibilities. One of the supervising principals was formerly the principal at Webster Elementary before it closed. The other supervising principal who is considered a brilliant and well-qualified educator and is only a few hours away from his doctorate, was a former assistant at Carver Junior High School. He was then sent to Howard Junior High during the crossover as the assistant principal, or third in line. Blacks believe that the superintendent, aware that Holden elementary would be closed, appointed him principal of Holden instead of making him principal of Howard (which is predominantly white). A white coach was appointed principal at Howard, and a black transferred from another school became assistant principal. Similarly, a black assistant principal at Oak Ridge who should have been made principal was by-passed in favor of a white. There is a general consensus that blacks are being by-passed when top principalships open up.

In **St. Petersburg, Florida,** where there are now no black senior high school principals, the black community feels that the appointment of the first white principal of Gibbs High School when it became clear the school would be substantially integrated in the near future was the result of a well-planned design by the school board and staff. In the spring of 1971, the black principal of Gibbs resigned; up until a few weeks prior to his resigning, Gibbs had a black assistant principal for instruction, but shortly before the principal's resignation, the black assistant principal was transferred to another high school. When the black principal resigned, the white assistant principal was named after a few weeks' interval. The black assistant principal had been assistant principal at Gibbs for seven or eight years, had an M. A. from Columbia University, and was very well-qualified. The white assistant principal had been at Gibbs for only two years and before that he had been an assistant principal at a junior high school. He was the first white principal at Gibbs and was placed there at about the same time the courts were saying that Gibbs might end up as an integrated high school. There is a lot of speculation in the black community that the black principal, who now works at a local college, resigned because of pressure put on him.

A blatant example of official reluctance to place black principals in integrated schools occurred in **Charleston, South Carolina.** At the end of the 1968-69 school year, the superintendent told the principal of King's Highway Elementary that he would be transferred to James Island High as an assistant principal because King's Highway would become majority white, and white parents would not accept a black principal. The principal was alternatively offered the principalship at all-black Haut Gap High School on John's Island, but he turned it down because

the school was inferior and too far away. He accepted the job of assistant principal and has since become director of attendance and social work. In the same district, the principal of Meggett High on James Island was named director of technical information for the county when Meggett became a vocational school and its students absorbed by predominantly white James Island and Fort Johnson High Schools. The "promotion" is suspicious not only because it is the same district where the principal of King's Highway was told that he would not be accepted by whites, but also because Fort Johnson was a new school essentially replacing Meggett and in need of a principal.

In **Savannah, Georgia,** a black high school principal was "promoted" to administrative assistant when the school became majority white and was replaced by a white. A school board member called the administrative assistant an "errand boy."

In contrast with these examples and the prevailing tendency of school officials to assign black principals to black schools, **Charlotte, North Carolina** has three of its six black junior high school principals in formerly white junior high schools and three of its 13 black elementary school principals in formerly white elementary schools. Also, the black principal at West Charlotte High remained there when the school became majority-white.

In the 1970-71 school years, there has been a large increase in black and Chicano administrators, principals, and assistant principals in **Houston, Texas.** In 1969-70 there were 115 black and seven Chicano administrators, principals, and assistant principals; in 1971-72 there are 166 black and 16 Chicano.

While it is clear that many black principals who have been transferred to central office positions since desegregation have been "kicked upstairs" it is also clear that some black principals have been given genuine positions of authority.

In **Orangeburg, South Carolina,** a black high school principal was promoted to assistant superintendent and was replaced with another black.

In **Nashville, Tennessee,** the Director of the Department of Human Relationships, an ESAP-funded program, is a former junior high school principal. He serves on the Director's cabinet — the administrative decision-making body of the school system.

In **Columbia, South Carolina,** three black former principals hold central office positions and none have suffered a loss of responsibility or prestige. The assistant superintendent for administration was the Title I Coordinator for four or five years and previously a principal. The present Title I Coordinator was the principal of a school that was closed this year. Although this job is often a demotion in terms of responsibility from the role of principal, he appears to have been given power to run his program. Another principal was made the Director of Adult Education in a major educational program in Columbia.

In **Shreveport, Louisiana,** the Director of Vocational Education, who received an increase in salary and responsibility in his new position, is a former principal.

Often it is difficult to determine whether black principals have been demoted in their new administrative roles. The principal of a former black junior-senior high school in **Jacksonville, Florida,** which is now an integrated junior high school, was appointed Director of Student Relations this year. Although he is paid by the district, there are five people under him who are paid by ESAP. He works with 35 ESAP junior and senior high school advisory committees. Although several contacts in the black community said that he was "pushed out" and given no real responsibility, he claims that he was not demoted. A similar position, Director of School Relations, was created this year in **Austin, Texas,** for the principal of the closed black high school. Contacts generally weren't sure about what his role is supposed to be, and he was never mentioned as having a strong voice in school administration circles.

ASSISTANT PRINCIPALS

The status of black assistant principals is a serious issue in several districts. In **Tampa, Florida,** there were no assistant principals in the two black high schools last year, although there are two assistant principals in every other high school in the district. The rationale for this is that a school must have 2,000 students before it can have any assistant principals—and these schools had less than 2,000 students. School officials indicated, however, that appointment of a black assistant principal is high on the list of administrative priorities. The assistant principal at formerly-black, now closed, Marshall Senior High School is now assistant principal at a Seventh Grade Center which used to be a black high school. Not only was he demoted, but he is the only assistant principal in the system, white or black, below the senior high school level.

In **Charlotte, North Carolina,** blacks have had the most difficulty in obtaining jobs as assistant principals and head coaches because principals decide who get these jobs. Efforts by central staff to persuade certain white principals to name black assistant principals have largely failed. However, some white principals have asked for black assistant principals after realizing that they would be very helpful during racial disturbances.

Some monitors reported that black assistant principals frequently do not play meaningful roles. In **Orange County, Florida,** informants state that black assistant principals are assigned only to schools with large enrollments of blacks and that their duties are primarily disciplinary.

In **Raleigh, North Carolina,** black students complained that "black assistant principals are 'janitors'." They corroborated their complaint with a mimeographed sheet entitled "Information for Students of Needham B. Broughton High School,"

in which the duties of the white assistant principal are listed as "advisor to the student council and extra-curricular activities" and the black assistant principal's responsibilities identified as "books, supplies, maintenance."

In **Macon, Georgia,** when the positions of assistant principal and assistant assistant principal were created subsequent to desegregation, one black assistant assistant principal (who has a master's degree in administration) said that his duties are "to tabulate and compile attendance figures and to go to each room and notify teachers when to bring their children to lunch." Black assistant principals were also described as "powerless" in **East Baton Rouge, Louisiana.**

CENTRAL OFFICE

In most of the districts monitored blacks rarely occupied administrative positions prior to desegregation. In many districts, such as **Shreveport, Louisiana; New Orleans, Louisiana; Forrest City, Arkansas; Selma, Alabama; Charlotte, North Carolina;** and **Mobile, Alabama,** there were no blacks at all in central office positions prior to desegregation. Where blacks were in central office positions, with few exceptions, they held federal program jobs or were in minor supervisory roles. Some school districts still have made almost no progress toward integrating blacks into the central office. **Selma, Alabama,** has no blacks in the central office. In **Forrest City, Arkansas,** the only position that a black has moved into since desegregation is "dean of men."

Where the prospects for black administrative positions have improved, the creation of new positions since desegregation that are frequently federally-funded have been disproportionately responsible. Another trend observed in many districts is the concentration of blacks in "special" and/or minority-oriented programs, such as Title I, that are also federally funded. At best the job security of these positions is tenuous, since federal programs may be cut back in funding or not refunded at all.

Since 1968, blacks have secured several central office positions in **Charlotte, North Carolina.** The assistant to the superintendent, a "created position", had been principal at a black high school which was closed. Blacks hold other positions such as Title I Coordinator, Director of Neighborhood Youth Corps, Public Education, Special Education, and School Social Work, Assistant Director of Performing Arts, and Assistant Personnel Director. Two out of four Child Development (Title I) are black.

In **Nashville, Tennessee,** where there was only one black director before desegregation, two additional black directors were appointed with ESAP funds, and a black Title I director was appointed. The chief bus dispatcher is also black; and blacks hold three academic supervisor positions and four "special" supervisor positions—in the School Food Services, Project Follow-Through, Project Opportunity, and Neighborhood Youth Corps.

In **Little Rock, Arkansas,** there were no blacks in the central office staff before desegregation except the Assistant Superintendent in charge of Personnel. All of the positions, created since then—Director of Career Opportunity, Supervisor of Kindergartens, and the Assistant Director of the Neighborhood Youth Corps—are staffed by blacks.

In **Norfolk, Virginia,** the position of assistant superintendent of pupil personnel was created in order to bring into the system a high-level black administrator. He exercises authority over special schools, adjustive services, and pupil personnel. His office keeps statistics on suspensions and expulsions, and he and the Director of Pupil Personnel, who is also black, review and make recommendations on student expulsions. His position is one of authority which is used in the highest policy meetings of the school district. Blacks gained a representative to the superintendent's "Cabinet" for the first time this year in **Austin, Texas,** with the creation of a new post, Human Relations Liaison, which is separate from the four administrative divisions.

There is little doubt, however, that some of the black appointees to central office positions do not have as much authority as their titles imply. One of the two black district superintendents (there are six altogether) in **New Orleans, Louisiana,** reported that district superintendents do not have the authority to hire and fire personnel in their districts. They can only recommend personnel. They have no duties in relationship to curriculum development or other programmatic duties. The district supervisor reported that his main duties are administrative—supervisory of the physical facilities, the schools' atmosphere, and serving as a liaison between the local principals and the central staff.

Although the overall position of blacks has improved as far as gaining administrative appointments, strong complaints about hiring policies for central office positions were raised in some districts by the black community.

When the **Memphis, Tennessee** school system was divided into four districts in last year's decentralization, two of the four area superintendents appointed were black. A black assistant superintendent was also appointed as a result of the 1969 boycotts. Community contacts charge, however, that all three of these people were chosen because they would not "rock the boat". Seniority, degrees, and passing an administrative level test are the announced criteria, but our monitor noted that most of the black central office staff serves an apprenticeship at Douglass High School. Black teachers believe that the black principal at Douglass must approve an administrator before he can be promoted to the central office. In **Huntsville, Alabama,** which has no written policy on promotions, black community contacts say that you have to be accepted by the "club" in addition to meeting academic qualifications. In **East Baton Rouge, Louisiana,** the black administrator who had served as acting director of the federal programs for over a year was passed over when the final appointment was made in favor of a white man. There are no blacks above the level of supervisor in East Baton Rouge.

In **Florence, South Carolina,** which has only two black supervisors and a black Title I Coordinator but no blacks above that level, the method of promotion is blatantly unfair. A black kindergarten teacher who has an M.A. in early childhood education and has spent a year on a Leadership Development Program Fellowship in Education recently was selected to teach a summer course at Francis Marion State College for Teachers because she was the only person "qualified" in the area. The Coordinator of Early Childhood Education, who is white, has only a B. A. plus graduate hours. Our monitor, even without trying, found three or four black teachers and principals who are more qualified than whites chosen for central office positions. In addition, the promotions of two black first and second-year teachers as assistant principals at two white schools without regard for more experienced black staff members has created a furor among black teachers. The Association of Classroom Teachers has confronted the superintendent on the issues of unfair promotional practices. Also, the black chosen as the Title I Coordinator is reported to be a pawn of the superintendent.

The personnel office in **St. Petersburg, Florida,** said that they post vacancies for administrative positions and then a group called the Administrative Selection Committee (which has two blacks) makes a recommendation for hiring based on the responses to the notices. However, several black teachers claimed that there are many black principals and administrators already in the system who are well-qualified for promotions into higher administrative positions. The black staff member with the highest position in the central office has a doctorate but all staff members above him, including the superintendent, do not have doctorates. The problem of non-promotion of blacks to higher administrative positions was also reported in **Knoxville, Tennessee.** In **Jacksonville, Florida,** the large increase in black administrators this year was primarily due to an influx of federal program funds. The black school board member said that he considers the low number of black administrators and the relatively low positions they occupy one of the main problems in the districts.

In **Orange County, Florida,** blacks are upset that there are no black deputy or assistant superintendents (the highest position held by a black is Director of Federal Programs) and that the few black supervisors appear not to have real supervisory responsibility over whites.

VII

TRANSPORTATION

Our monitors frequently found that school systems had incomplete data on transportation for public school students. Accurate information was difficult to obtain. In **Florence, South Carolina,** data on the number of children being bused is uncertain even though information was obtained from three reliable sources. The district superintendent told our monitor approximately 8,000 students are being bused. But in September the district had released a press statement indicating that 5,500 students were being transported. Records in the county superintendent's office, however, revealed that 6,222 students were being bused.

Our monitors did find, however, that contrary to popular belief, very few racial incidents occur on school buses. And there were no reports of significant safety problems or instances in which the health or education of students being bused suffered. School district transportation directors generally reported that buses are still largely segregated because they transport children on a neighborhood basis. They said that disruptions on buses are no different from those experienced in previous years.

Our monitors found at least a dozen urban areas in which the lack of an adequate school transportation system is not only a barrier to desegregation but a major burden and inconvenience for all children, and particularly for black children, under existing pre-*Swann* or post-*Swann* plans. In **Atlanta, Georgia,** for example, the school system provides no bus transportation for students because under Georgia law, the state can pay only for the transportation costs of county-wide school systems, not independent city systems. It is estimated that approximately 50,000 children are now transported to school in Atlanta by either cars or private transportation. Of that number, about 20,000 use the Atlanta Transit Authority buses which charge a ten-cent fare. This expense must be incurred by the families

of the school children except, under a recent court ruling, where students transferring from a majority to minority status are reimbursed by the school system. A similar order holds for **Memphis, Tennessee.**

Rome, Georgia, students must also rely on public transportation. Last year, ESAP funds were used to provide poor children with free rides. But this year there are no ESAP funds in Rome, and the city underwrites the cost for children who cannot afford the 15-cent fare twice a day. The **Texarkana, Texas,** school district does not provide any transportation for its students, many of whom must pay a ten-cent bus fare. In **Huntsville, Alabama,** students must also use public transportation at their own expense.

A minority of the court-appointed, bi-racial committee in **Hattiesburg, Mississippi,** filed a statement criticizing the school system for not providing transportation as a part of its desegregation plan: "The plan requires students on the junior high level to travel great distances but does not provide for transportation. We take the position that any plan implemented to disestablish a dual system which requires pupils to attend schools long distances from their homes should provide for the transportation for those pupils. Accordingly, we would urge the Board and the Court to include a provision that the district will provide free transportation for any pupils residing more than a mile from the school to which he is assigned." Little attention was given to this request, and the students continue to use public transportation at a cost of 40 cents a day.

Transportation under the desegregation plan in **Norfolk, Virginia**, has been a burden to all concerned—students, parents, teachers, and principals. All students who cannot walk to school (an estimated 15,000 out of 50,791 students) must ride buses operated by the Virginia Transit Co. at a cost of $63 per student per year. The necessity of scheduling school openings and closings around the bus company's schedule has "tied us in knots," according to an assistant superintendent of schools. The fare has been a burden on poor families. One board member estimates that approximately 600 poor children are out of school altogether because of the fare.

On March 7, 1972 the Fourth Circuit Court of Appeals ordered the Norfolk School Board to provide free transportation under its plan. In its opinion the Court said, "The school district as a part of its plan of desegregation must provide a practical method of affording *free* busing for students assigned to school beyond normal walking distance. . . . The Court cannot compel the student to attend a distant school and then fail to provide him with the means to reach that school." The order was upheld by the Supreme Court in May.

Aside from the cost, black children frequently have to bear the burden of the distance or conditions involved in new transportation arrangements. In the inner city of **Nashville, Tennessee,** black children in grades one through four are bused

out to majority-white suburban areas. Fifty-three percent of the children who are cross-bused in **Hillsborough County, Florida,** are black, even though blacks constitute only 19 percent of the students enrolled in the district. Our monitor in **Savannah, Georgia,** found that in at least ten of 16 cases of paired schools, white children attend schools in their neighborhoods while black children in the lower elementary grades are bused into these schools. The distance factor for black students is also a burden, as in **Greensboro, North Carolina,** when black children are kept after school and miss their bus. White students who are kept after school of course miss their bus, too. But they usually live nearer to the school and therefore have a shorter distance to walk.

Students in **Texarkana, Arkansas,** told our monitor that since the black junior high and senior high schools had been closed, they had to walk to the two junior and one senior highs in the white community. One of these schools, North Heights Junior High, was opened in the fall of 1971 in an area far from the black community. Black citizens feel that when the school board found it couldn't keep blacks out of this school, members took the attitude that blacks would have to get there the best way they could. School authorities, on the other hand, maintained that the state does not reimburse the district for busing within the city limits nor does the system have the resources to bus its "larger students." The district does, however, use its resources to provide transportation for children in grades one through six. Students in grades one through five are bused to schools in the white community, while all students in the system attend a sixth-grade center in the black community. To the black citizen, this means the school district is willing to bus sixth graders into the black community, but is unwilling to bus seventh graders into the white community. In the opinion of our monitor, the state law is being *used* by the school board as the reason why it refuses to transport junior and senior high school black students.

As in Texarkana, the lack of a transportation system in **Birmingham, Alabama,** appears to work to the detriment of black students. Our monitor visited an all-black school with an enrollment of 450 students on a very rainy day and found less than 100 in attendance. At West End High School, another all-black school, on the same day, the teacher estimated the attendance was off 30 percent. Later that day, two all-white schools, Wright and Huffman, in all-white neighborhoods, were also visited. The principal indicated that there was no significant effect of weather on attendance.

By denying funds to be used for transportation, the federal government has added to the burden of desegregation for black parents. When the **Greenville, Mississippi,** school district was required by a U.S. district court to develop a new desegregation plan, the plan ultimately accepted by the court called for 2,000 students to be bused to four paired elementary schools within the city limits of Greenville. The state of Mississippi provides bus transportation only to those students living outside the city; to provide buses for the additional students involved in the

new desegregation plan would have required the use of local funds. The district did apply for $188,000 in ESAP funds to purchase the needed buses, but the Nixon Administration moved to prohibit ESAP funds from being used for such purposes. As a result, no buses were provided because the school district did not have the necessary funds. Black children whose parents did not have ready access to transportation had to get to school the best way they could.

There also seems to be some evidence that the cost of providing transportation has been used in several cities as an excuse for delaying compliance with constitutional standards. Other cities seem to have deliberately made the use of transportation so inefficient as to strengthen public opposition to it as a tool for achieving desegregation.

School officials in **Memphis, Tennessee; Birmingham, Alabama,** and **Huntsville, Alabama,** have maintained their districts cannot achieve more complete desgregation because they do not operate transportation systems. The **Jacksonville, Florida,** school board owns no buses but does contract with 184 private individuals who operate buses for the system. When Jacksonville received a post-*Swann* court order in June, 1971, the school system found it would need approximately 100 more buses than it used the previous year. The judge recognized, however, that it usually takes about six months to obtain new buses, and therefore ordered a two-phase plan, the first phase to be implemented in September, 1971, and the second to be implemented as soon as additional buses could be obtained. The court justified this delay with the statement, "To require the purchase of an extra 150 buses (at around $10,000 per bus) under these circumstances might, in the final analysis, work an undue hardship on the school board or the individual contractors and waste the taxpayers' money."

When a post-*Swann* desegregation plan was ordered for the **Norfolk, Virginia,** school system, the Virginia Transit Company appealed to the City Council for a fare increase to handle the additional number of students to be transported under the new plan. The fare increase was approved but could not take effect because of the Executive Freeze on Wages and Prices. The Norfolk school district then sought a stay of the new desegregation plan and asked that it be permitted to open the 1971-72 school year under its 1970 plan. The stay was granted by the U. S. District Court but was subsequently overturned on appeal to the Fourth Circuit. That court ruled, "We are convinced that the school board cannot avoid its constitutional duty to desegregate the schools by pleading that the bus company might lose money because of the price freeze." The Supreme Court sustained the Fourth Circuit, and school opened in September under the 1971-72 plan.

In **Nashville, Tennessee,** busing became a major political issue even though the school system had transported more than one-third of its students in the year prior to the post-*Swann* desegregation plan. When the district's budget was approved by the Metro City Council in June, 1971, Council members demanded assurance that no funds in the budget would be used to purchase buses for the purpose of transporting students to establish a racial balance.

Now the transportation director says he needs 110 more buses to provide the proper quality of transportation for the district's students, but the hands of the school system are tied because of the Council prohibition. With buses in service all but a few hours a day, there is practically no time for preventive maintenance. In the first month and a half of school, an average of twelve breakdowns a day occurred. Despite complaints from both black and white parents, the Metro City Council refuses to appropriate funds for additional buses. It is no wonder that "busing" has an unfavorable image in the Nashville-Davidson County School District.

An anti-busing group in **St. Petersburg, Florida,** Parents Against Forced Busing, helped to defeat a millage referendum for the first time in Pinellas County. The election was partly to secure financing to purchase additional buses. As a result, the school board had to borrow $500,000 for 50 new buses needed to create a unitary school system.[1]

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[1]*For additional information on school transportation systems, see the following studies:*
It Ain't the Distance, It's the Niggers, *March, 1972, by the NAACP Legal Defense and Educational Fund, 10 Columbus Circle, New York, N. Y. 10019.*
Inequality in Education, *Number 11, March, 1972, by the Center for Law and Education, Harvard University, 38 Kirkland Street, Cambridge, Massachusetts 02138.*
MARC Fact Book on Educational Transportation, *March, 1972, by the Metropolitan Applied Research Center, Inc., 60 East 86th Street, New York, N. Y. 10028.*

VIII

SECOND GENERATION PROBLEMS

Throughout this report we have cited extensive evidence demonstrating *de jure* segregation is still very much in evidence in school districts of the urban South. The elimination of such segregation is clearly the first task of federal and private civil rights agencies.

In recent years, however, we have witnessed the rise of "second generation" desegregation problems which have become more visible and disturbing as desegregation has increased. These problems usually result from vestiges of the dual school system and become more manifest when some real movement has been made toward desegregation. Relatively speaking, these problems have received little public attention in comparison to the evils of *de jure* segregation itself, but they nevertheless pose just as great a threat to equal educational opportunity and efforts to create unitary systems. "Second generation" problems have been the object of few, if any, federal programs or initiatives, but they are deeply disturbing to many many black and white citizens in the urban South. At a minimum they mean that desegregation has gotten off to a shaky beginning. But the real fear is that they may so undermine the movement toward desegregation as to seriously threaten its chances for success.

ONE-RACE CLASSES, GROUPING OF STUDENTS

While our monitors reported finding numerous one-race classes or predominantly one-race classes in the region, there were few reports that a *pattern* of such classes exist within the respective school districts. One-race classes are prevalent, of course, in those districts which are still operating under inadequate or obsolete desegregation plans. At least one deterrent to the creation of rigid patterns of in-

school segregation in unitary districts has been the regulations of the Emergency School Assistance Program which prohibit black children from spending more than half of the school day in one-race classes.

However, under existing federal civil rights policy and regulations it is permissible for white students to spend all of their time in one-race classes, and black students may spend more than half of the school day in classes which have only one student of the opposite race. As a result, black students may frequently find themselves in classes which have only one white student because federal policy defines a segregated class as a one-race class.

Our monitor in **Mississippi** reported finding twelve all-black classes in **Greenville,** five all-white classes in **Gulfport,** 15 all-black and four all-white classes in **Hattiesburg,** and 157 all-black classes and eighteen all-white classes in **Jackson.** The **Greensboro, North Carolina,** school district was found to have 34 all-black classes, and 124 all-white classes. All-white or all-black classes were found throughout the **West Memphis, Arkansas,** school system. Significantly racially imbalanced classes were found at one 60 percent-white high school in **Columbia, South Carolina,** where 20 of 34 English classes were 80 percent black or white, and 13 were 90 percent of one race. At another majority-white high school, one-third of the senior English classes were found to be 80 percent of one race. One-race English classes were also found in **Orangeburg, South Carolina,** and severely racially imbalanced classes were found in at least 19 schools in **Savannah, Georgia.** Other reports of one-race or racially imbalanced classes come from monitors who surveyed **Charlotte, North Carolina; Monroe, Louisiana,** and **Montgomery, Alabama.**

Because the degree of in-school racial isolation and classroom racial inbalance varies so much between and even within school districts monitored, this report will focus on the reasons for such isolation and imbalance rather than on the statistics involved.

One-race or racially imbalanced classes were found to result from the following: (1) one-race schools or schools with a student enrollment of predominantly one race; (2) assignment to classes based on test results, previous classroom performance, and/or recommendations by teachers and counselors; (3) departmentalization, ability, or curriculum groupings; (4) remedial efforts; (5) students' selections of courses based on personal choice; and (6) racial prejudice. Undoubtedly, many educators inadvertently create one-race classes when they seek to cope with the real or presumed learning problems of black students. Or they may consider the creation of one-race classes a problem secondary to the dilemma of what to do with black students who do not seem to be able to perform at grade level. Frequently unprepared for these students—or educationally unimaginative—administrators and school systems follow the line of least resistance and initiate programs and practices which isolate such students from others whose race and culture has been a passport to the educational norm.

Ability and curriculum groupings were found to be responsible for racially identifiable classes in several school districts. In **Norfolk, Virginia,** there are "advanced," "regular," and "modified" classes. Students told our monitor that "advanced" classes frequently have only one or two black students while many of the "modified" classes have only a few white students or are all-black. The **Shreveport, Louisiana,** school system places elementary school children in levels one, two, three, or four, according to the child's tested ability in reading and arithmetic. Each child is evaluated every six weeks through the use of standardized tests and then placed at the "appropriate" level. In junior and senior high school, a system known as "phasing" is used. Phase I is college preparatory, Phase II is possible college preparatory, Phase III is mixed vocational education and academic training, and Phase IV is vocational education. Students are placed in these groups on the basis of their scores on the California Achievement Test. Our monitor reported that black students tend to fall in the bottom two phases.

The **Durham, North Carolina,** school board initiated a tracking system during the second year of its current plan. Students are placed in an academic or vocational track, on the basis of classroom performance and standardized test scores, as early as the seventh grade. Once in the track, the student is locked in it. Blacks feel vocational training is the school system's only response to its previous failure to provide an adequate education for black children.

With two exceptions the **Monroe, Louisiana,** elementary schools place students in levels one, two or three. Our monitor reported that the majority of the students fall into the third level which is the slow-learner group. Community people told our monitor that most black students are in the basic levels of English, math, science and American history. The **Jacksonville, Florida,** system uses a "three-path curriculum" which includes college preparatory, pre-technical and career or vocational education. Ability grouping is used on a "development basis" in English and math, and our monitor found that some racially imbalanced classrooms result. Ability grouping is also used at the elementary level in the **Tampa, Florida,** school district and is based on an elaborate testing program, a determination of reading readiness, and/or past performance. Grouping at the elementary level is primarily in the areas of reading and mathematics, while at the secondary level it is in math, science, and English. The groups are labeled "Advanced," "Regular" and "Basic." Classes in the "Advanced" and "Basic" levels tend to be racially identifiable. Though the Tampa superintendent instructed his staff in a memorandum dated Nov. 1, 1971, that all classes in the school system must reflect a "racial mix" our monitor found this mandate was not being followed.

The **Texarkana, Arkansas,** superintendent told our monitor that his district labels ability groups as "high," "middle" and "low" (the terms in neighboring **Texarkana, Texas,** are "advanced," "middle" and "regular"), but added that no student is in any ability-grouped class or classes for more than two hours a day. However, the assistant superintendent for instruction said that at two elemen-

tary schools, students involved in the Individually Prescribed Instruction Program must remain in their group. He also said that some students in the Title I and Follow-Through programs at Central and Union elementary schools must also remain in their same groups throughout the day. School authorities told our monitor that while there are no all-black or all-white classes anywhere in the system, "black students tend to fall into the lower track."

The **Florence, South Carolina,** school system uses a grouping technique known as the "multi-level program" which results in homogeneous grouping for one or two periods a day. Students are placed in a particular level of language arts or math on the basis of test scores and teacher recommendations. Our monitor found that the bottom levels of the language arts program are largely black in the elementary schools, while language arts classes in the high schools are 70 to 80 percent black. In McClenaghan High School, every subject is ability grouped in "basic" and "academic" except that there is an "honors" group for English. The "honors" class is about half the size of others, and is nearly all white. Most "basic" classes have a disproportionately high number of black students. Out of 150 ninth-grade students in "academic" English at majority-black Wilson High School, only 13 were black.

In **Greenville, Mississippi,** the grouping of high school English students results in the "smart sections" being 24.5 percent black, with an average class size of 22, while the "slow" sections are 80.6 percent black, with an average class size of 27. Thus, even if the grouping practice is valid, it is clear that less attention is being given to those students who need it most. In the elementary schools where there is some grouping, one Title I teacher reported discovering that one of her second-grade students had been placed in the slowest group "by clerical error." The teacher estimates it will take several months of special work to bring the child back up to the level where he can compete with the group to which he should have been assigned.

However well-intended the use of various systems of grouping may be, some educators and the black community frequently view these techniques negatively. A former black principal in **Florence, South Carolina,** told our monitor, "In theory, it (multi-level grouping) is good but in practice it's not worth a cuss. Bottom-level teachers say and act like their students aren't smart, and you know what that causes."

Some guidance counselors in Florence told our monitor that theoretically the language arts program might improve skills that would enhance the chances for college entry. But they feel such an advantage is offset by the negative psychological effects of the grouping which reduces the motivation of many students. One of the counselors said that many black students now want to be in language arts because it is easier and their friends are in it. Some teachers in Florence are also beginning to question the value of the multi-level approach.

Though **Texarkana, Arkansas,** school officials say that grouping was used prior to desegregation (on a "more limited basis"), some black parents feel it is the school board's response to desegregation. They contend it is the way in which the school system continues to try to make black students feel inferior. Grouping was also the chief complaint of parents with whom our monitor in **Savannah, Georgia,** talked. Among their complaints were: (1) at the beginning of the 1971-72 school year, some schools claimed test scores for some students were late in being transferred from formerly all-black schools, and therefore many black children were incorrectly placed in low sections; (2) test scores are kept secret, and (3) test scores are given priority over classroom achievement in placing children. The greatest complaint, however, was that their children are getting an even lower quality education than they did in the black schools because the lower ability groups offer so little and expect so little. When parents at a school in **Columbia, South Carolina,** found their children were being racially segregated within a desegregated school because of grouping practices, they made a vigorous protest to the school board. The condition was subsequently corrected.

ROLE OF COUNSELORS

Counselors were frequently mentioned in the monitoring reports as individuals responsible for determining a student's "place" in the school or curriculum. Black students in **Norfolk, Virginia,** said many of them chose the "regular" classes rather than the "advanced" because they had been led to believe that white schools were much harder, and that they could not meet the standards of more advanced classes. A black student from an "advanced" class of Booker T. Washington High School was put into a "regular" class at Lake Taylor Senior High School. When she sought to get back into the "advanced" class, she was asked by her counselor, "Do you really think you can do the work?" When she pointed out that she had been in the "advanced" class at Washington, the counselor insisted that the program at Lake Taylor was more difficult.

In **Little Rock, Arkansas,** class assignments are left to counselors and principals who are still assigning students to "honors" classes on the basis of guidelines prepared in April, 1969. The parents of one black student who had all "A"s and one "B" in junior and senior high had to protest to convince a counselor at Hall High School that the student should be allowed to participate in "honors" classes. A student at Jenkins High School in **Savannah, Georgia,** observed that black students are steadily migrating to the easier courses (i.e. general math instead of algebra) because when they start to sign up for the harder course they receive warnings such as, "Do you know what you're getting into?"

Black students in **Forrest City, Arkansas,** told our monitor that counselors discourage them from entering the college-bound curriculum. While any student is theoretically permitted to choose his own curriculum, in practice counselors en-

courage those students whose attendance, grades or attitudes are not to their liking to enter the "basic" program.

In **Greensboro, North Carolina,** our monitor heard that black students have been given wrong information concerning course requirements for succeeding years, so that when a student enters his last years of high school he finds himself unprepared to take the courses he wants. A student from Page High School said that counselors put black kids in non-college preparatory courses, and that black males end up in cabinet-making. Similar stories were related to our monitor by black students attending Lower Richland High School in **Columbia, South Carolina,** where black females are encouraged to go into home economics. **Huntsville, Alabama,** students say the grouping system, into which they are referred by counselors, tends to steer black students into programs which do not prepare them for college work. The **Shreveport, Louisiana,** "phasing system has a similar effect.

The student handbook at Neville High School in **Monroe, Louisiana,** carefully states that "under no circumstances are you to depend upon a high school official to choose the correct course for you. However, school counselors, principals and assistant principals or other faculty members will be glad to counsel you at any time concerning your program." Our monitor was told that in practice counselors suggest that black students enter general courses.

The monitor in **Selma, Alabama,** reported that black females are encouraged to sign up for sewing and cosmetology classes, but that whites are not encouraged to take these courses. Black males are encouraged to prepare for non-professional and skilled labor jobs. In the fall of 1971 the social studies supervisor at all-black Western High School in **Birmingham, Alabama,** addressed the student body and encouraged them to read and subscribe to Booker T. Washington's philosophy regarding their preparation and training. Students at other schools in Birmingham told the monitor, "Counselors tell us which classes we *will* take."

Monitors in several districts reported feelings among some students and parents that counselors are ineffective with students of both races. Black and white students in **Norfolk, Virginia,** strongly condemned guidance counselors as "worthless."

In **St. Petersburg, Florida,** members of the district's bi-racial committee said that all counselors in the system, blacks and whites, are so bad that they believe there is probably no racially discriminatory pattern at all, but rather one of a terrible level of counseling.

In **Columbia, South Carolina,** a person who works in a large number of schools told our monitor, "Overall the district has poor guidance counselors, black and white, but they are probably especially bad at counseling students of the opposite race." At one school in Columbia, two black students used their free period to see a white teacher during her free period. The students wanted to ask for some information about colleges "because the (black) counselor won't listen to us."

The black assistant principal walked by, saw the student sitting on the teacher's desk talking to her, and sent them out of the room even though they had a pass to be there. The students were asked why they were asking the teacher about colleges, when she was not a qualified guidance counselor. When the students replied that the teacher was the only one who would listen to them, they were made to sit in the assistant principal's office until they would say that the teacher was not the only one who would listen to them.

In **Orangeburg, South Carolina** (where one counselor refuses to talk with students with long hair), students reported that the schools have almost no catalogs from black colleges, and that few white counselors know anything about such institutions of higher education. A student who asked his counselor for information about Hampton Institute was told to write for a catalog. Another student who wanted an interpretation of his Scholastic Aptitude Test scores was merely given a copy of the handbook.

In **Florence, South Carolina,** white counselors do not attend guidance workshops for high school counselors when they are held at such predominantly black institutions as South Carolina State College. Most black counselors do attend. Black students in **Texarkana, Arkansas,** and in Texas, on the other hand, apparently are encouraged to attend black colleges, but are seldom given information about white colleges and universities.

Community people in **Austin, Texas,** told our monitor that "the counselors have a low opinion of blacks and browns," at Johnson High School. Johnson has the most black students of any high school, and an overwhelming majority of the Chicano high school students in the system. Counselors are reported to make little effort to get scholarships for students, or they set their sights very low in light of the possibilities available for minority students.

According to counselors with the Mexican-American Education Council (MAEC — a private non-profit community organization funded by the Emergency School Assistance Program), Chicano high school students in **Houston, Texas,** receive little, if any, counseling in the schools. MAEC provided counseling services for all Chicano students who graduated from Austin High School (51 percent Chicano) in January, 1972, and succeeding in getting most of them into a special program at the University of Houston. One MAEC counselor said, "The counselor at Austin just does not see minority students as potential college students." In all of Houston, MAEC has found only one Chicano counselor in the public schools.

Counselors usually play an important role in guiding minority group students into vocational schools. Arnold Vocational School in **Savannah, Georgia,** has 40 fewer whites this year and 30 more blacks, so that its enrollment is now 490 black students and 171 whites. As previously noted some students end up there when they become a problem in other high schools. Others usually go upon the per-

suasion of guidance counselors when they score low on standardized tests and are therefore considered unlikely candidates for higher academic work. Other black students choose the program because they need a quick way to earn a living, and they aren't encouraged to think of college as a possibility. Here is another example of counselors having low expectations of minority students and servicing them accordingly.

Our monitor in **Richmond, Virginia,** reported that vocational education there is racially segregated and discriminatory. According to the monitor's report, sophisticated vocational training is being offered to whites and some blacks who concurrently pursue a high school diploma. Traditional and obsolete occupational skills are offered to many black students who are classified as "slow," and are not in any regular school program. They have often dropped out or been pushed out of the regular school program for various reasons. In **Macon, Georgia,** the 65 percent-black vocational school includes grades nine through twelve. Our monitor found that it had experienced an increase in enrollment since the beginning of the year because black students had been pushed out of the regular schools in increasing numbers.

In **Florence, South Carolina,** only two of the high schools have vocational centers: Wilson High, with a student enrollment that is 45 percent white, and Southside High, with an enrollment that is 64 percent white. Students from all over the district are bused into these vocational centers. The vocational courses at Wilson, the formerly all-black high school, are traditional, such as brick masonry, carpentry, agriculture, cosmetology. At Southside High, courses such as air-conditioning, auto body repair, business machine repair and drafting are offered. According to faculty members in the district, most black students take or are placed in the traditional vocational courses at Wilson. Besides the possibility of being referred to "dead-end" curricula, one must also take into account the fact that black students may choose Wilson because they want to stay in a school with which they are familiar, because most of their friends are taking courses there, or perhaps they enroll because the traditional courses have a high degree of recognition and acceptance to many black students. Another factor which might influence their selection is that 90 percent of the vocational faculty at Wilson is black, while 90 percent of the vocational faculty at Southside is white.

CLOSING BLACK SCHOOLS

Few subjects so strike at the feelings of the black community as the decision to close black schools. These schools, often inadequate and poorly equipped, were erected by school districts as conscious efforts to maintain dual systems of education based on race. Just as the black community was never consulted about its desires to have segregated schools, it was not consulted about building schools in its community to preserve that segregation. However, once those schools became

a reality in the black community, they became centers for community activities and the focal point for the hope that educated black children could escape poverty and demonstrate the talents of black people. As one of the few institutions which could even remotely be considered to belong to the black community, black schools became identified with successful graduates, winning football teams and outstanding bands. With all the handicaps of segregation, the black community nevertheless worked long and hard to make black schools as good as possible.

When desegregation came, many of these schools were closed or lost their status as "graduating" high schools. In most cases, the black community again was not consulted, and to many black people it seemed that schools which were good enough for them were judged to be inferior for whites. Thus, in many districts the closing of black schools, and the way in which it was done, came as new evidence that the feelings of whites were paramount. This new affirmation of racism has done little to insure the success of desegregation.

The overwhelming majority of schools which have had to be closed because of desegregation have been black. Indeed, reports show that in many cases black schools were closed, and nearby white schools were allowed to become over-crowded, merely because the black school was in a black neighborhood. In a probable indictment of the dual school system, it was also noted that many—possibly most—of the black schools were closed because they needed to be. Monitors reported numerous black schools suffering from delapidation and inadequate facilities, or with dangerous locations near highways, railroads, crime areas and the like.

In fifteen districts surveyed, 61 black schools were closed, and only six white ones.

The closing of two black elementary schools has been an issue in the **Orange County, Florida,** desegregation suit. School authorities said they were closing the two schools—which they conceded are sound structurally—for financial reasons since they are in commercially valuable areas. In a brief filed with the Fifth Circuit Court of Appeals, plaintiffs' attorneys pointed out that the commercial value of other (white) schools had not been studied prior to the decision to sell the black schools. They noted that a nearby white school which was over-crowded and is an inferior facility was kept open because officials said it was a "neighborhood school." The two in question are neighborhood schools also, but in black neighborhoods.

In **Jacksonville, Florida,** seven black schools were closed. The plaintiffs agreed to the closing of three, which were conceded to be inadequate, but did not accept closing of the other four. The superintendent said the schools "were in miserable neighborhoods" and that they were closed because officials knew whites would not attend them. A black junior high was closed for the same reason, but the court said it might be re-opened later, depending upon the "future improvement of the area" and the decision of the board.

The closing of Willow Creek school in **Florence, South Carolina,** resulted in a mass demonstration by blacks, to no avail. The superintendent told our monitor that he planned to reopen Willow Creek and another black school as auxiliary facilities, but a week later he told an HEW-OCR team he had no plans for either.

(While sale of public schools to private segregation academies has been frequently noted in rural areas, our monitors found no instances of such in the cities we surveyed. In the St. Paul's district of **Charleston, South Carolina,** blacks purchased a school for a community center. The building was then stripped of all its furnishings by the white organizers of a segregated academy. School officials did not take any action, and the blacks were afraid to protest lest the building be burned. While many former schools, such as those in **Mobile, Alabama,** remain vacant, others are being used as administration buildings, special education centers, welfare and food stamp offices, and early childhood education and day care centers. A few were taken over by community groups.)

Tampa, Florida, offered a graphic example of the loss of black identity in school desegregation. Blake and Middleton senior high schools (black) were made junior high schools because, according to the superintendent, they were too small to be high schools anyway. The old Middleton building is now called Memorial Junior High. Officially, the high school is named Hillsborough- Middleton, but no one ever calls it that.

Ligon High, the traditional black high school in **Raleigh, North Carolina,** was made into a junior high school despite black protest. Money raised by the Ligon PTA and other patrons over the past few years was arbitrarily distributed by the school board to the formerly white high schools. The board turned down a request from blacks to redistribute money collected at white junior high schools so Ligon would have an equal share.

Some other schools closed and the reasons, given or apparent, include:

Mobile, Alabama: Four schools closed, all black: Caldwell, on noisy thoroughfare; Central High, in area of dope peddlers and other hazards; Owens, substandard; Ella Grant, substandard.

Montgomery, Alabama: Four black schools closed, three white. Booker T. Washington High described as "unfit" by the school board and judge, but still in use.

Nashville, Tennessee: Five predominantly black schools closed, one white. Four were deemed unacceptable by a study commission, two others "inadequate."

In **Gulfport, Mississippi,** the black high school and one elementary school was closed, leaving only one formerly all-black high school in use. Under the neighborhood plan, this school is the only majority black school in a 75 percent-white district. The black community in **Greenville, Mississippi,** lost their argument that

there should be two high schools in the district (the formerly black high school being one), and the black school became the junior high. This spring, the school board declared there was a danger of overcrowding in the one high school, and proposed a new vocational education center to accommodate the overload. (Vocational Education in Greenville has traditionally been 90 percent black.) The black community fear this will lead to resegregation.

Six of the seven schools closed in **Columbia, South Carolina,** under the 1971-72 plan were majority black. Considerable black dissension ensued over a plan to convert all-black Hopkins High (on which the district had spent a million dollars for improvements the previous year) into a junior high, pairing it with lower Richland High School. Black citizens had wanted the Lower Richland area of the district zoned to maintain both high schools, but this plan was rejected by a four-to-three vote of the school board. Many felt the board's decision was ultimately based on the fact that the chairman of the board lives in that area. Another white resident of the Lower Richland community, who led the fight to pair the schools, was later appointed to the school board. Many blacks finally went along with the plan because they were promised by this man that new school colors and mascots would be adopted at Lower Richland. They have not been. In the same area of the district, a black middle school is under-capacity. Blacks expect an effort to close the black middle school in the future.

Other black schools in Richland County District No. 1 were closed for varying reasons. Perrin Thomas Elementary is a relatively new building, but is bordered by a railroad switching yard; Howard Elementary is a very old building in a freeway area; Withers Elementary is on a heavily traveled street; Ridgewood Elementary is in a very poor black neighborhood (although the official reason for closing it is unknown); Eastover Elementary is close to other schools and too small to merit a full-time principal, according to an assistant superintendent; Waverly Elementary included a very old building.

Black parents in Columbia admitted that most of the schools were closed for a good reason, but they asked, "If it was good enough for us, why isn't it good enough for white children?"

NEW CONSTRUCTION

Reports showed that in many cities, despite the national concern over "busing," new schools are being built without regard for their ultimate racial composition. In some cities, schools are clearly projected to house one race, with busing the only solution to their desegregation. In some of these districts, it is obviously blacks whom they expect to bus, if it has to be done. To the black community it is clear that desegregation does not necessarily mean the end to discrimination in the selection of sites for new schools. If there is going to be a continued burden and

inconvenience connected with a desegregated school system, it appears that black children in many urban districts will continue to bear that burden.

In **New Orleans, Louisiana,** an official said he had not considered the race of four elementary schools slated for construction because "schools are built where the students are." An investigation showed that one school will be all-black, another all-white. Of two new high schools under construction, one is certain to be black. Another school is planned in what officials admit is a "mainly white" area.

The court ordered a moratorium on all school construction in **Memphis, Tennessee,** until that suit was resolved. All the board's proposed buildings would tend to maintain neighborhood schools.

Two new high schools with only a handful of black students opened last fall in **Jacksonville, Florida.** Sandalwood Senior-Junior High School cost $5.1 million. It is the largest school under one roof in Florida, with a capacity of 3,500—but only six of its students are black. Both the new schools are ultra-modern in construction with open classrooms, carpeting, air-conditioning and the like.

A new high school is expected to open in **Huntsville, Alabama,** in September in the upper-middle income area where all the school board members, except the black one, live.

Two new schools were opened in **Birmingham, Alabama,** in 1970-71, with 100 percent white enrollment. The superintendent maintains he will build schools where the students are, regardless of race.

Two of three new high school buildings planned in **Austin, Texas,** will probably be racially identifiable. According to an administration projection, Northwest High will be 96 percent white. Despite protest from people concerned about the ecology, the school board used its power of eminent domain to condemn city park land as the site for the new Austin High School. The site is 15 blocks from the old school, which was the most integrated in the city because of its excellent accessibility to public transportation. Poor blacks and Chicanos are expected to attend the new school in fewer numbers because of the transportation situation.

One elementary school built in **Atlanta, Georgia,** last year is 100 percent black, and three others are 95 to 100 percent black. Two others under construction will probably be equally high in black enrollment.

Two heavily white elementary schools have opened in **Rome, Georgia,** and another elementary school is planned in an area where a segregated school was closed. The new school will be zoned in such a way that it will remain white.

The only district reporting legal intervention against construction of segregated schools was **Nashville, Tennessee.** There, the district court rejected plans for one new high school because it was in an all-white area and approved another because it was centrally located. The judge also found that portable classrooms had been

used to enlarge white schools while classrooms in black schools went empty. Declaring that "portables have been used to maintain segregation," he enjoined the board from using portable units for any purpose except to achieve desegregation. In the same order, it was noted that schools in outlying areas had remained all-white. To keep them from becoming "vehicles of resegregation," the judge ordered that court approval would be needed for any additions or renovation to schools with less than 15 percent black enrollment. New construction was also prohibited without court approval.

Officials in **Tampa, Florida,** say they have projected the race of new schools under construction based upon where black children are being "satellited" from. None of the construction, clearly, is in black neighborhoods, but is largely outside the city where the white population is expanding.

The superintendent of schools in **East Baton Rouge, Louisiana,** admitted that a new high school and four new elementary schools will be all-white "unless blacks are bused to them," and that a new junior high to be built in an all-white subdivision will be "tokenly" desegregated. A source told our monitor that the NAACP has a bargain with the school board not to contest new school sites if other compaints, such as faculty assignment and student grievances, can be resolved.

Black leaders in **Florence, South Carolina,** fear that in a few years, no schools will be left in black neighborhoods. Formerly black Wilson High School is to be rebuilt several miles away, between two white private housing developments. McClenaghan High, in a transitional neighborhood, may also be relocated. Three formerly black elementary schools have 500 fewer students this year, and two of them have empty classrooms. Blacks feel this means that they are also being phased out. Housing patterns, meanwhile, have not changed, and several low-income housing projects are currently being built in black neighborhoods. The blacks suspect that ten years from now, every child in the area will be bused to schools in white neighborhoods.

In **Shreveport, Louisiana,** a new high school built at a cost of $400,000 was opened this year. This school was built in an all-black housing project.

STUDENT TRANSFERS AND ZONE-JUMPING

Student transfers—both in compliance with and in violation of approved desegregation plans—were a major problem in maintaining effectively desegregated schools in some districts.

Under the court order in **St. Petersburg, Florida,** students were exempted from attending the school to which they were assigned if the new school did not offer courses they wanted to take. Thus, many white students could remain at their old high schools rather than attend Gibbs because the formerly all-black school

offered fewer courses than the white schools. By the same token, many white students who were enrolled in Dixie Holmes's exceptionally good vocational program simply returned there last fall, and tenth-graders in the program have been told they will be able to remain next year, regardless of their assignment. Seventy white students in a business-machine course at Dixie were transferred to Gibbs when it was pointed out the black school, in that case, had an equally good program.

Until recently, requests for transfers for "medical" reasons represented a major effort by St. Petersburg whites to keep from attending black schools. The bi-racial committee, which has jurisdiction over transfers, reviewed some 200 medical requests, the majority of which were from white students assigned to formerly all-black junior high schools. Fifty percent of the students were rejected, and the Pinellas Medical Association cooperated by assigning a committee to consult with the bi-racial committee in each request. As a result, the problem has been eliminated.

Zone-jumping is a continuing problem, although school officials have not been able to determine to what extent students are attending the wrong school or using phony addresses to attend neighboring Pasco County schools.

Senior transfers were allowed under the plans in **Florence,** and **Columbia, South Carolina; East Baton Rouge, Louisiana,** and **Greensboro, North Carolina.** The effect in Greensboro was to keep the senior class at formerly all-black Dudley High nearly 100 percent black.

Enrollment in Florence and East Baton Rouge deviated from projections partially because of illegal zone-jumping by whites. Tactics include lying about residence, establishing dual residences, and sending children to live with relatives or friends in other zones.

Transfer permits in **Orleans Parish, Louisiana,** are a major component of school administration. A big "Permits" sign in the administration building directs the public to one official who has few other duties than to grant transfers and "residence affidavits" (forms filled in by parents and guardians to certify that a child is not living at home but in another school district.)

One official at first denied that a written permit policy exists, although our monitor obtained elsewhere a copy of the document which was adopted by the board in 1969 and revised a year later by the administration without the board's knowledge. The policy has never been made public. It provides that no black student may transfer to a formerly white school if blacks already exceed 30 percent of the enrollment (this is a 72 percent black district!). Blacks have priority to transfer to a school which is all white or less than 10 percent black. Permits are not issued to whites in "precariously racially balanced schools" nor to blacks from schools where the percentage of black students is small.

Seven thousand to 8,000 permits are granted each year, and the official in

charge said race is the motive 90 percent of the time. About 3,300 transfers had been granted out of 3,600 black and 2,000 white requests at the time the district was monitored, and the official said the transfers were about equally divided between black and white. This was a considerably larger number than was reported to the court. Transportation is not provided for transfer students, and officials believe more blacks would apply if it were.

Twelve hundred to 1,400 residence affidavits, which are not reported to the court, are granted in New Orleans every year, and persons close to the situation believe the process is widely abused. Abramson High, for example, is overcrowded with whites who are zoned to attend McDonogh High. It has only 19 white students and 1,163 blacks.

In **Hattiesburg, Mississippi,** white parents in the Blair section took legal guardianship papers on children to keep white students in that area. One family claimed twelve students. As an apparent result, of 228 white students assigned to attend two formerly all-black schools, only a total of 18 showed up.

Monroe, Louisiana, blacks as well as whites were reported to have elected to return to their old schools rather than the ones to which they were assigned. The district has a majority to minority transfer provision, but it is rarely used.

The majority to minority transfer was described as "very important to middle class blacks and white liberals" in **Houston, Texas,** where integration in several schools has been benefited by it. This year 2,907 black and 197 white transfers (including Chicanos) were granted. Several middle class blacks transferred to Lamar High, which is 86 percent Anglo, and to Lamar Junior High, 61 percent Anglo. Several white liberal students elected to attend Lincoln High, a 70 percent black school in the heart of the city. Two elementary schools have dropped from 85 to 66 percent black, and from 88 to 49 percent Anglo, respectively, under the transfer policy. Two school board members have children among those mentioned, and one member would like to see the whole system desegregated by that method.

WHITE FLIGHT

With few exceptions, white student enrollment is decreasing dramatically in the districts monitored. In most instances, there is a corresponding increase in black enrollment.

An analysis of a January, 1972, HEW survey of 76 of the nation's 100 largest school districts shows that 60 of them lost white enrollment between the 1970-71 and 1971-72 terms. One-third of the districts with declining white enrollment were in the South. Enrollment loss ranged from only one percent in **Orange County, Florida,** to 18 percent in **Richmond, Virginia,** and 15 percent in both **Atlanta, Georgia,** and **Savannah, Georgia** — the highest losses in the nation.

Our monitoring showed that while in the great majority of districts white flight is clearly and even primarily related to the increase in school desegregation, some white mobility is almost certainly related to other national phenomena: declining birth rate, inmigration of blacks to the central cities, increased growth of many Southern cities, and movement of whites to the suburbs for reasons other than race.

In **New Orleans, Louisiana,** for example, there have not been great changes in black or white enrollment since the last court order went into effect. Yet over a 13-year period, white student population has declined by 10,000, while black enrollment increased by more than 20,000.

In **Houston, Texas,** our monitor noted that in some areas of the city, white flight could be related to the desegregation plan—particularly where a small percentage of whites was zoned into a formerly black school. In other areas not dramatically affected by the desegregation plan, but where the composition of neighborhoods has been changing, there was also a lot of white flight.

In southeast Houston, Thomas Junior High School in 1969-70 was 70 percent Anglo, eight percent Chicano, and 21 percent black. The following year it was 60 percent black, eight percent Chicano, and 34 percent Anglo. This year it is 75 percent black, four percent Chicano, and 21 percent Anglo. In the same area, Jessie Jones High went from 17 percent black two years ago to 48 percent black this year. The overall enrollment at Jessie Jones dropped by half. (Meanwhile, in Houston, whites are trying to de-annex a 90 percent white area containing 25 schools to form a Westheimer Independent School District.)

Our monitor concluded that school desegregation alone was not the primary cause for the tremendous suburban migration of Houston's whites, commenting: "There just is not enough desegregation required for that."

She blamed instead the "metropolitan phenomena," which struck the Northeast in the 1950s and is now hitting the Southwest, and quoted a local realtor who credited white movement to the "desire of homeowners to have more room to raise their families."

Knoxville, Tennessee, is losing 1,000 white students a year, even though zone changes under the desegregation plan are not enforced. As in most districts where white enrollment is declining, the number of blacks has increased.

And in almost all districts, some, if not most, abandonment of the public schools by whites can be correlated with the adoption of new desegregation plans.

In **Savannah, Georgia,** public hysteria greeted the announcement of the new plans for elementary and high schools last summer, and 5,000 white children were withdrawn from the system.

In **Montgomery, Alabama,** whites moved out of the Cleveland Avenue area in droves when it was re-zoned—in such numbers that blacks in the community sus-

pected that the realtors who profited participated in drawing some zone lines. Since Montgomery is a county-wide district, movement was within the county but away from the inner city where whites might have been zoned into black schools.

In **Jacksonville, Florida,** the superintendent told our monitor that the district had lost 7,000 white children since the 1970-71 term, and he expects to lose more when the total desegregation plan is put into effect next year.

Whites in **Nashville, Tennessee,** have fled to six predominantly white surrounding counties, five of which reported unexpectedly large increases in student population this year. The metro system lost 5,300 whites while the suburban counties gained 2,400.

While black enrollment remained fairly stable, about 4,300 whites (3.4 percent) left the **Norfolk, Virginia,** system this year. White enrollment had been decreasing at one percentage point or less annually before the 1969-70 term.

Other cities illustrate the trend:

Little Rock, Arkansas lost 1,683 whites after January, 1970.

Greenville, Mississippi lost 1,800 whites in 1971, 600 the year before.

Charlotte, North Carolina lost 1,359 students this year, most of them white.

Columbia, South Carolina lost 2,710 whites and gained 3,067 blacks.

Atlanta, Georgia went from 32 percent white in 1971 to 28 percent white this year. (It gained blacks, lost whites.)

Between the 1969-70 and 1970-71 terms, **Jackson, Mississippi** schools lost more than 50 percent of their white enrollment (12,000 students). At the present time, however, the monitor reports that enrollment is stabilizing and in some cases increasing.

Three other districts reported stable white enrollment, but this was, nevertheless, interpreted as a net decrease.

In a typical school year, about 2,000 white students were added to the school population in **Tampa, Florida,** each year. Since there was no increase in 1971-72, school officials say they assume 2,000 children who would ordinarily be in public schools this year are not. Most of the missing would have attended formerly black schools.

Nearby **St. Petersburg, Florida,** also failed to increase significantly in white enrollment this year as it had in the past. Stabilization there also is interpreted as a decrease. Black enrollment increased.

In **Monroe, Louisiana,** white enrollment stabilized while black enrollment increased. This was attributed to a number of white children entering private elementary schools while blacks entered first grade at a normal rate.

PRIVATE SCHOOLS

In most districts, it is easy to determine at least the minimum number of white students who have fled desegregation by looking at the growth of private schools in the area. There is a clear correlation between the adoption of desegregation plans and the birth of private, segregated academies in the district.

In **Savannah, Georgia,** 2,245 white students attend twelve private schools which were clearly set up to avoid integration. Since 5,000 whites fled the public schools this year after a racial balance plan was ordered, at least that many again may be enrolled in established private schools or other "segregation academies" set up in homes, churches and other private buildings. At least nine new schools are known to have opened since the latest plans were announced, and one Protestant church school is known to have expanded to accommodate those fleeing desegregation.

Charleston County, South Carolina, has 19 segregation academies, enrolling 4,000 students.

Nine thousand students (11 percent) are estimated to have left **Nashville, Tennessee,** public schools. Seven new private schools, enrolling 1,850 white students, opened after the June, 1971, court order. Of 13 other private schools in **Davidson County (Nashville), Tennessee,** twelve are almost all-white.

Twenty-three non-Catholic private schools in **Montgomery, Alabama,** gained 2,000 students between 1969-70 and 1970-71. Catholic schools in the city are also virtually segregated since they were built in black or white communities and now claim transportation problems as a bar to desegregating.

In Hinds County **(Jackson, Mississippi)** there are 30 private schools of which 15 are clearly segregationist academies. These 15 had an enrollment in 1969-70 of 4,162 students, and in 1971-72 an enrollment of 8,889 students. Of that total, 5,312 were in schools sponsored by the Citizens' Council Foundation.

Greensboro, North Carolina, lost between 800 and 900 whites to private schools this year, and the superintendent of public schools says categorically that most if not all left to escape desegregation. **Shreveport, Louisiana,** lost 1,000 whites; the district has 34 private schools. In **St. Petersburg, Florida,** there are twelve new all-white private schools this year, and 1,600 fewer whites in the public schools.

Enrollment in **Columbia, South Carolina,** private schools almost doubled between last year and this year. One Catholic school increased its white enrollment by 13 percent.

The private school movement in South Carolina began at Wade Hampton Academy in **Orangeburg, South Carolina,** in 1964, after 19 black students enrolled at Orangeburg High School. Like old-line academies in other cities, it flourished with increased desegregation and last year doubled its enrollment to 900. A new segregated academy opened in Orangeburg this year, enrolling 600 students.

Unlike Orangeburg, where the superintendent says the public schools have maintained public support in spite of a strong private school movement, the superintendent in **Raleigh, North Carolina,** complains that 75 percent of the people who control the city's economy have gone to the private schools and taken a substantial portion of the leadership with them.

Norfolk, Virginia, has at least 35 private, non-Catholic schools. While busing is an issue in the public schools, it seems not to be in the private ones. All 19 schools which advertise their services in the Yellow Pages offer transportation.

A few districts reported collaboration by public officials with private schools:

A **Charleston County, South Carolina,** constituent school board member headed up a fund-raising drive for a segregation academy.

In **Little Rock, Arkansas,** a member of the Chamber of Commerce helped organize a school. Four of the seven school board members are reported to have children in private schools.

The city of **Houston, Texas,** cooperated with the new $1.5 million Northwest Academy building by extending a four-lane street in time for its opening.

While monitors report that Catholic dioceses have frequently made public pronouncements that their schools would not become havens for fugitives from desegregation, individual Protestant churches in most cities have participated in and often led the private school movement during desegregation. **Charleston, South Carolina** probably leads the region with eleven church-operated segregation academies. (A public school official in Charleston advised our monitor that one could usually identify a segregation academy by the word "Christian" or "Church" in the name. This advice held true for other cities, including **Selma, Alabama; Hattiesburg, Mississippi; Norfolk, Virginia; Little Rock, Arkansas; Nashville, Tennessee; Montgomery, Alabama; Columbia, South Carolina; Savannah, Georgia,** and **West Memphis, Arkansas,** each of which has at least two racially segregated "Christian" schools.)

SHIFTING SCHOOLS

The trend towards resegregation—caused by poor desegregation plans, lenient transfer policies and, largely, changing housing patterns and white flight—was illustrated in several districts.

In **Atlanta, Georgia,** 19 schools went from white to black between 1969-70 and the beginning of the 1971 term. The entire system went from 58 percent black in 1961 to 71 percent black in 1971. Some shifting of racial ratios was attributed to the schools' policy of letting black students transfer from over-crowded, all-black schools to less crowded ones in transitional neighborhoods. As the ratio of black to white approaches 50 percent, the whites withdraw.

No school in **Nashville, Tennessee,** is more than 72 percent black this year, but 13 are resegregating under the current plan. Resegregation has taken place because of white flight, discussed previously, and four "open zone" schools which any pupil may attend for their vocational programs. School officials would not cooperate with the Office for Civil Rights when it sought to investigate transfer policies.

The **Columbia, South Carolina,** school board has rezoned 77 percent-black Lyon Street Elementary School (which had been projected to be about 48 percent black for 1971-72) so that it will be 92 percent black for the 1972-73 school year. The rationale for this controversial rezoning, approved by a four-to-three vote, was that whites would not be attending Lyon Street anyway, but they might stay in or return to the public schools if they were zoned into either of two neighboring elementary schools which have black enrollments around the 50 percent mark. School officials admit, however, that there is no assurance this move will stem resegregation.

Three of the ten schools in **Memphis, Tennessee,** which have shifted from majority white to majority black did so because black housing projects were built in white neighborhoods.

East Baton Rouge, Louisiana, has had one school shift from all black to 50 percent white, partially because of whites locating in a section "235" housing development in the area. Six other schools in the district, however, have shifted the other way. In each case, the shift occurred, essentially, because of changing neighborhoods. **Beaumont, Texas,** has the same problem, with three elementary schools which were all white in 1964 becoming majority black and a fourth approaching it. The monitor concluded, "If current housing trends continue (and there is no reason to think they won't), and if Beaumont is not forced beyond its free-choice plan, these schools will be all black within several years."

Resegregation was found less likely to occur in metro-wide school districts and in districts where there was an approximate racial balance in every school. If a school district includes not only the urban area but geographically contiguous suburban and rural areas as well, urban development and desegregation is more likely to proceed without parents' fleeing to neighboring school systems which are still within convenient commuting distance of the central city.

Other districts have developed desegregation plans which convert formerly black schools to middle schools (grades six through eight). The reasoning is that white parents are less likely to leave the school system if their children have to be bused to center city schools in black neighborhoods for only a few years when they are twelve to 14 years old. While these kinds of plans continue to place the burden of busing on black children (who are bused out of their neighborhoods for grades one through five and nine through twelve), and caters to the racism of whites, it nevertheless has been the rationale for some desegregation plans.

RACIAL IMPACTION

Our monitors concluded that the power structure in most Southern cities they surveyed has conspired to maintain black neighborhoods with one-race schools. The FHA, local planning commissions and housing authorities, urban renewal, school boards, highway departments, realtors, and even transit companies received credit for contributing, consciously, to racial impaction.

Federal "235" and low-income public housing developments were the main culprits cited. In city after city, it was noted that either by policy or by custom, such projects for years have almost always been built in segregated or transitional neighborhoods. In the transitional neighborhoods, the effect is to drive out the remaining whites, leaving the neighborhood schools all black. School authorities have generally cooperated with the housing authorities by building schools in the impacted areas. Escape for minority groups is impossible, thanks to real estate and financing policies of private business.

Racial impaction due to federal housing construction practices was noted in **Atlanta, Georgia; Beaumont, Texas; Montgomery, Alabama; Shreveport, Louisiana; Orlando, Florida; Monroe, Louisiana; Hattiesburg, Mississippi; Little Rock, Arkansas; Charlotte, North Carolina; Florence, South Carolina; Selma, Alabama;** and **East Baton Rouge, Louisiana.**

Atlanta, Georgia, offered a succinct example of the conspiracy theory in the words of our monitor: "The zoning board zeroes in on transition neighborhoods, granting variances for apartments to the point of greatly overcrowding the schools. The housing authority adds public housing to the area and the highway department separates the area from that which is still white by another expressway."

The Atlanta monitor also found that housing discrimination has become a more subtle game than mere housing covenants. Atlanta developers, for example, are creating "clubs"—buildings and facilities which are turned over to the residents for rental or "membership" purposes and over which the developer can claim no control. Advertising placements, attitudes of sales people and controlled telephone and mail promotion also contribute to denying new integrated housing to blacks.

All public housing built in **Charlotte, North Carolina,** during the past four years has been constructed in areas that are predominantly black, in areas undergoing transition from white to black, or in areas adjacent to one of the other two. This construction—plus documented cases of "block busting" and restrictive convenants, urban renewal relocation, and highway construction—has transformed a substantial portion of Charlotte from majority white to majority black.

In the **Memphis, Tennessee,** school desegregation ruling last December, U. S. District Court Judge Robert McRae found that while the present school board could not be held responsible for *recent* low-rent housing and rent subsidy programs,

there had obviously been a conspiracy in the past among the school board, realtors, FHA and the Memphis Housing Authority to promote segregation in housing and schools. He charged that the board of education had "established separate and unequal schools in the immediate vicinity of the areas of Negro concentration." School officials themselves blamed the FHA and MHA for resegregation of city schools. They maintained that the board had protested location of public housing and urban renewal projects in racially impacted areas since 1967.

Knoxville, Tennessee, offers another example of the dilemma blacks face in finding homes outside the ghetto. An equal housing opportunity survey for the Knoxville Metropolitan Planning Commission in 1969 concluded that "it is difficult for a black to move to an all-white area not immediately adjacent to existing black areas."

Yet the inner-city neighborhoods in which Knoxville's blacks are trapped are being eroded by urban renewal and turned into office sites. Black families evicted by the program have been relocated in public housing within the core of the city. Federally funded "235" and rent subsidy projects on the city's outskirts are not available to blacks, and other low income programs have rental scales actually beyond the means of poor families. Moreover, says the Urban League, realtors will not show blacks homes in white neighborhoods, and the transit system discriminates by failing to provide transportation from black areas to outlying industrial sections.

Nashville, Tennessee, provides further illustration of the housing problem. Nashville blacks are also confined to the core of the city. A black savings and loan president testified during a desegregation hearing in 1970 that blacks are prohibited from buying homes in white areas because white property owners and realtors will not sell to blacks, because they have difficulty financing due to prejudice in the mortgage financing business, and because blacks find it hard to get hazard insurance in white residential neighborhoods where they might be burned out. A school board witness indicated that white real estate men and mortgage bankers control and set the limits on "block busting."

The plaintiffs' attorney, Avon Williams, brought out that the board of education in Davidson County has cooperated with the Metropolitan Planning Commission and the Nashville Housing Authority by locating new schools near federal housing developments which it is known in advance will be segregated.

A white witness for the plaintiffs testified that when she and her family moved to Nashville, they were strongly discouraged by local realtors from seeking a house in an integrated neighborhood and could not find an agent who would show them one. When they found a house themselves, the woman called both the superintendent and neighborhood school offices trying to find out about school attendance lines. In both instances, she was advised by school personnel that she should not buy a house there because black children were moving into the neighborhoods.

Highway construction to serve Disney World is displacing blacks in **Orlando,**

Florida, and threatening to relocate them in a heavily black and growing section called Washington Shores. A community source predicted that the combined forces of highway and housing construction and restricted housing would lead to all-black urban schools by the end of the decade.

Concurrent suits in **Austin, Texas,** last year involving three federal departments revealed federal schizophrenia on the question. While the Justice Department was arguing in U. S. District Court for an HEW busing plan to desegregate Austin schools, an organization of blacks and Chicanos filed suit in the same court against the Austin Housing Authority and the U. S. Department of Housing and Urban Development.

The Blackshear Residents Organization, which was founded to fight urban renewal, sought to halt construction of a federally funded housing project adjacent to the municipal airport and the nation's largest waste disposal plant which is in the East Austin section inhabited by 82 percent of the city's black and 63 percent of its Mexican-Americans. The suit charged that the housing authority had always segregated its housing projects and that by continuing to do so, it perpetuated the need for massive busing to achieve racial balance in the schools. Judge Jack Roberts rejected the Justice Department's busing plan and, according to the BRO attorney, went for the lesser of two evils in enjoining the housing authority and HUD from building the housing project on the East Austin site.

In his order, Judge Roberts noted a lack of "unity of approach between HUD and the United States Department of Health, Education, and Welfare . . . in recent litigation before this court. HUD has vigorously contended in this suit that the racial mix in the neighborhood of the Project TEX 1-8 site satisfies the requirements of the Civil Rights Act, while in a contemporaneous desegregation suit in this same court HEW has contended with equal zest that minority school children in the same neighborhood are so locked in by segregated housing patterns that massive busing is required to satisfy the Constitution."

Two other housing suits are pending in Austin.